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THE ARCHBISHOPS
OF ST ANDREWS

VOL. IV.



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THE ARCHBISHOPS OF ST ANDREWS

VOL. IV.

BY

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THE great Calendar of Letters and Papers of the reign of Henry VIII. covers the period of David Beaton's active life, and offers a mass of historical material for his later years. The *Rentale Sancti Andree* (edited for the Scottish History Society by Robert Kerr Hannay) adds to our information, especially in economic affairs. Among manuscript authorities may be mentioned the Correspondence of Mary of Guise, preserved in the Register House; and the *Formulare* contains a number of illustrative writs. The new matter available for this biography does not compel any serious departure from the general estimate in *Cardinal Beaton, Priest and Politician* (John Herkless, 1891).

As in the previous volumes, the modern style of dating the year from January 1 is adopted.

J. H.

R. K. H.

April 1913.

CONTENTS.

	PAGE
DAVID BEATON'S CAREER TO HIS ELEVATION AS CARDINAL (1538)	1
FROM HIS SUCCESSION TO ST ANDREWS TO THE DEATH OF JAMES V. (1542)	30
THE EVENTS OF 1543.	81
THE CONFLICT WITH ENGLAND AND THE STRUGGLE TO MAINTAIN THE CHURCH TO THE DEATH OF THE CARDINAL (1546)	138
APPENDIX	220
ADDITIONAL APPENDIX	234

LIST OF ABBREVIATIONS.

A. D. C.	= Acts of the Lords of Council.
A. D. C. S.	= Acts of the Lords of Council and Session.
A. P.	= Acts of the Scottish Parliament.
Acts and Decreeets	= Register of Acts and Decreeets (Reg. Ho.).
Arbroath R. N.	= Black Register of Arbroath.
Brady	= Brady's Episcopal Succession.
C. M. G.	= Correspondence of Mary of Guise (Reg. Ho.).
E. R.	= Exchequer Rolls.
F.	= Formulare (St Andrews Univ. MS.).
H.	= Letters and Papers of the reign of Henry VIII.
Hist. MSS. R.	= Reports of the Historical MSS. Commission.
R. M. S.	= Register of the Great Seal.
R. P. S.	= Register of the Privy Seal.
T. A.	= Accounts of the Lord High Treasurer.
Theiner	= Theiner's Vetera Monumenta.

THE ARCHBISHOPS OF ST ANDREWS.

VII.

DAVID BEATON.

IN the year 1511, while James IV. was king and Archbishop Beaton ruled the western see, David Beaton passed from St Andrews to Glasgow University. Thus early did the youth, "the great Cardinal" of another generation, join the man he was to succeed in offices of Church and State. Subtler in character and more daring in action, David Beaton was as watchful as James Beaton for Scotland's independence and as constant in his enmity to England. He devised no new means to quicken religion and inaugurated no novel policy for the protection of the country; but with the splendour of the cardinalate, the crowded circumstances of his official years and their momentous issues, he ranks as Scotland's most illustrious churchman before the Reformation

and is numbered among her greatest statesmen. None the less to Knox he was "that bloody wolf the Cardinal," "a vitious priest and wicked monster which neither minded God nor cared for man." He slew the prophets and stayed the progress of the Reformation, and he has been justly counted an enemy of the light. Unholy tales have been told, and the priest has been scorned who soiled the fame of his order. Yet David Beaton was the guardian and protector of Scotland's liberty.

David Beaton was the third son of John Beaton of Balfour in Fife, and Isobel Monypenny of the Pitmilly house.¹ The family claimed a long descent, and the archbishop, who was John Beaton's brother, raised it to distinction. The date of David Beaton's birth is not recorded. He may have been about fourteen years of age when he proceeded to the University of St Andrews, or he may have been even younger. In a Panegyric written by his kinsman Hay it is narrated that he applied himself early to serious affairs. His father trained him for Christ and the commonwealth, while his mother, *matronarum decus*, devoted herself to the nurture of his character

¹ Macfarlane's Geneal. Coll., i. 8. There is some doubt regarding David being the third son. Macfarlane names the mother Elizabeth, but she is Isobel in the R. M. S.

and consulted reason rather than affection, blaming the folly of women who would not let their sons be taken away for education. If David Beaton had been prepared in 1509 to enter upon a regular academic course, it would have been prudent to send him to the western University, where his uncle was Chancellor; and it is probable that at St Andrews he was no more than a schoolboy of twelve or thirteen, learning grammar. Gavin Logie, on the other hand, who matriculated about the same time, was a bachelor in the spring of 1511 and a master in 1512.¹

The matriculation rolls show that Beaton, after entering at St Andrews in 1509, removed in 1511 to Glasgow. The lists of the graduates of the time have not been preserved. It is probable, however, that he obtained the master's degree in the Scottish University before his departure for France; though Hay narrates in the Panegyric that Beaton, at the instance of his uncle, went to Paris when he was about the age of sixteen, and remaining there for ten years acquired learning without losing modesty. He studied humane letters and philosophy, and the Duke of Albany, the Scottish Regent, discovering his promise, promoted him. The Paris records contain no

¹ Univ. MSS.

mention of Beaton, and do not indicate that he was received as a graduate or that he obtained a degree. There is proof, however, that he proceeded to the University of Orleans, and that on October 16, 1519, when he took the oath of novitiate, he was a master. On that day there was received in the Scottish nation *novicius quidam vir nobilis M. David Beton Glasgevensis Cancellarius meritissimus*.¹ Orleans was the greatest Law school of France, and doubtless Beaton entered to prosecute studies which were indispensable in the career of ecclesiastical ambition.

The Archbishop of Glasgow did not fail to secure financial advantages for his nephew. The prebend of Cambuslang, said to be attached to the office of Sacrist,² has been associated with David Beaton's name,³ and as Arran, the patron, married Janet Beaton, the benefice might well have been obtained through him. By the death of James Ogilvy in 1518 Dryburgh and Kinkell, which was a valuable prebend in the Church of Aberdeen, became vacant. James Beaton, who had special powers to deal with crown presentations during the absence of Albany, gave Kinkell to his nephew on July 19, 1518, apparently on the ground that the

¹ Miscell. of the Scot. Hist. Soc., ii. 85.

² Scott's Fasti.

³ Keith's History, i. 43, note.

see of Aberdeen was vacant. It appears, however, from a sederunt of the Lords of Council in the following February that there were other claimants. Master Alexander Galloway relied with ultimate success upon a "Bull of impetration," while Alexander Stewart, Albany's brother, urged his own rights. The controversy, which is not clearly explained, compelled David Beaton to content himself with a more modest income. He appeared, as has been seen, at Orleans in 1519 as Chancellor of Glasgow, and that dignity was supported by the prebend of the rectory of Campsie.

The years of Beaton's residence in France were years of political as well as of academic education. Francis I., flushed with the victory of Marignano, rejoicing in the conquest of Milan, and flattered by the cession of Parma, consented in 1516, at the solicitation of Pope Leo X., to the abolition of the Pragmatic Sanction of Bourges, which had diminished the papal revenue and extended the freedom of the Church in France. By the terms of a concordat the pope was to receive the annates and the king to appoint to benefices. A constitutional struggle ensued in France when the clergy found themselves the victims of the royal absolutism. The young Scot could not enter into the strife, but, on the other hand, could not be

a mere uninterested spectator. The association, too, with Albany was more than a domestic attachment, since the Regent, though loving France more than he loved Scotland, was eager to preserve the alliance of the two countries, and did not fail to favour the nephew of the Scottish Chancellor.

In 1521, after an absence of four years, Albany returned to Scotland, and in his company was David Beaton, who, to the neglect of the priestly duties attaching to his benefices, at once engaged in political service.¹ Before leaving France, Beaton had conducted business with the Cardinal of Ancona, and had borne testimony to that prelate's concern for the interests of King James.² Important missions were assigned to him in 1522, when he was accredited to England in connection with the negotiations for peace, and was appointed to act as the Regent's messenger to the Homes.³ In the summer of 1523, during which his uncle was translated to St Andrews, Beaton was seriously ill at Dunfermline.⁴ The reappearance of Albany in September enabled the archbishop to obtain authoritative letters requesting Hadrian VI. to effect a transference of Arbroath; but the death of the pope in that month delayed the

¹ Hay's *Panegyric*.

² *Ibid.*, 2310, 2428. Vol. iii. 88.

³ *H.*, iii. 1850.

⁴ Vol. iii. 98.

primate's plan and his nephew's promotion.¹ As Chancellor of the kingdom James Beaton recognised the expediency of sending a commissioner to France in the company of Albany, who was leaving Scotland after his ignominious and futile campaign against the English. Scotland could not afford to break the alliance, though she had no longer a use for Albany; and accordingly the Chancellor, trusting his nephew's skill and prudence, resolved to send him to Paris that he might plead his country's cause and arrange a marriage for James V. This diplomatic mission could safely be entrusted to David Beaton, who, as Hay declares in his Panegyric, might easily have been mistaken for a Frenchman. It was also intended that he should proceed to Rome as the representative of Scotland, and as the agent in the projected resignation of Arbroath in his own favour and the vindication of the primacy when the see of Glasgow came to be filled.² On January 18, 1524, the Lords of Council decreed that he should have a commission to France under the Great Seal; but week after week passed, and Albany, harassed by financial troubles, could not or would not depart. Difficulties were

¹ H., iii. 2988. The letters are wrongly placed in April, and No. 2182 belongs to 1524, not to 1522.

² Ibid., 3576, 3674.

settled at length, and in May, when his commission had been renewed, David Beaton set out with the full dignity of an ambassador.¹

The arrangements for the journey were not made without controversy. Albany's conduct had by no means strengthened the French party, and had raised discord between him and James Beaton.² It became clear, however, that the two men must come to an understanding in order to maintain the international relations which were vital to both. The settlement of Arbroath had been delayed by the death of Hadrian and the troubles following the Regent's fruitless expedition; and, when it was decided to send David Beaton to France, questions of finance demanded consideration. The archbishop had made sacrifices in the interest of the duke, and could not be expected to bear the double expense involved by transactions at Rome and a diplomatic mission to France. The agreement was, therefore, that Albany should defray the costs in connection with the resignation of Arbroath and that James Beaton should advance the sums required by his nephew as ambassador. The Lords of Council ordained that, since Albany had asked the Chancellor to furnish £1000 and supply David Beaton's expense, the treasurer and comptroller should refund the advance from "the

¹ Vol. iii. 106.

² *Ibid.*, 105.

rediest money that thai have or can gett," and that, if they failed to pay, he was "to tak up as mekle at his awin hands as the soume of 1000 lib. extends to of the first money can be had owthir of properte or casualite and gif neid beis that letters be direct to poynd and distrenze the persons restand awand of our soverane lordis properte or casualite and mak payment to the Chancelar of the said soume in forine as efferis." The political position of the archbishop, however, was becoming critical, as appears from the fact that early in August John Beaton of Creich paid £500 out of the Fife rents, in spite of an intimation by royal letters to transmit the money direct to the comptroller, and in consequence the Lords refused to recognise the validity of the transaction. The resignation of Arbroath was duly effected at Rome on August 17; but David Beaton must have been annoyed to receive a letter from his uncle in which he desired to be relieved of his obligation for diplomatic expenses.¹

According to the terms of the resignation David Beaton was entitled to half the fruits of Arbroath, when the £1000 due to the Earl of Moray had been deducted. It is not surprising therefore to discover that he was in financial difficulties or unreasonable to suppose that he

¹ Vol. iii. 106, 139 (cf. Brady); A. D. C., May 26 and Aug. 3, 1524.

was aggrieved. On April 26, 1525, he was warned in the Court of the Official of St Andrews that he would be required to pay 2000 merks as his uncle's half of the crop of 1524 and of the rents due for Martinmas in that year and Whitsunday 1525; and accordingly he and George Ramsay of Clatty, as cautioner, were acted in the Books of Council to that effect. A strained situation was relieved, however, by the fact that James Beaton in July received £500 from the comptroller.¹

During the summer of 1524, while David Beaton was at the French Court, a revolution was accomplished in Scotland. By the skilful plotting of Queen Margaret the "erection" of the king was effected, and the Archbishop of St Andrews imprisoned. James Beaton was not a popular hero, and the indignity he suffered neither excited the nation to pity or anger nor stirred any of the great nobles to demand his liberation. Yet he was the primate of the Church, and Rome had authority more powerful than the spite of an angry woman. Information was sent to his nephew, but it was James Scrymgeour, the parson of Glaistre, who transmitted it, and it was he, and none of the Scottish prelates, who asked him to obtain the papal help for the prisoner. In the vagaries of Margaret's

¹ A. D. C., July 5, 1525.

policy, however, the archbishop was set at liberty before Rome could even protest.¹

At Christmas David Beaton returned to Scotland, landing at Dunbar in company with three of Albany's principal servants, and proceeded to St Andrews. "The said Mr Davy," wrote Magnus, the English resident at the Scottish Court, "albeit he were ambassador to the King of Scots in France, immediately after his coming to Dunbar, without either doing his duty to the king's grace here, or to the queen's grace, departed from thence and went straight to the Archbishop of St Andrews."² In due course Beaton found his way to the king's presence and reported that Francis would countenance the marriage of his younger daughter with James, though his plans would not permit him to unite with Scotland in her quarrel with England. Events, indeed, were soon to show that Francis could neither destroy his enemy nor help his friend. The victor of Marignano suffered defeat at Pavia in February 1525, and was made a prisoner. France was now in distress and the king's words were, as fashioned by tradition, "Tout est perdu, fors l'honneur." Scotland, however, might render assistance in

¹ Vol. iii. 114, 120, 124, 132. Scrymgeour is the "M. Istringi" of H. iv.

² State Papers (Henry VIII.), iv. 104.

the time of need and was not to be neglected. Accordingly the Regent Louise sought the favour of the Archbishop of St Andrews, which Henry also desired, and offered to aid him in securing a cardinal's hat for himself and a great benefice in France for his nephew.¹ A French bishopric was conferred in a later year upon David Beaton, when Francis deemed it prudent to reward him, but in 1525 he was no more than the nephew of the Scottish Chancellor.

For some time after his return to Scotland the career of Beaton was singularly uneventful. In 1525 he was named in connection with the commission for a peace with England. Later, when deprived of the Great Seal, the archbishop prudently agreed with his adversaries, and employed his nephew to convey certain gifts. As Abbot of Arbroath Beaton took his seat in the Parliament of 1525, and as a lord elect of the Privy Council attended meetings with assiduity. In the spring of 1526 the affairs of Arbroath once more demanded consideration. The Earl of Moray was prepared to extinguish £960 of his pension for a sum of £3000, to be paid by the end of March 1527. Beaton undertook to effect the redemption, while his uncle agreed to accept for three years from August 1, 1525, the fruits of certain churches amounting to £1208 Scots,

¹ Vol. iii. 145-146, 151.

and stipulated for his legal half after the close of that period.¹ The bargain for some reason created trouble. The abbot began at once to raise money, as the Register of Arbroath shows, by granting long tacks of the abbey lands and uplifting heavy grassums. This policy, continued till 1535, produced difficulties which were aggravated by the fact that Beaton succeeded from 1528 in evading the payment of half the fruits to his uncle. The new College of Justice had the case frequently before it in 1532, and there is evidence that Rome was to be approached.² The controversy was probably affected by the archbishop's resistance to the royal plans in regard to ecclesiastical taxation, and at the time of his death James Beaton seems to have been receiving no more than the fruits of the churches for which he had covenanted in 1526.³

The redemption of Moray's pension was not the only motive which actuated David Beaton in his manipulation of the Arbroath property. On May 22, 1528, the abbot, for certain sums of money "and other causes," granted to Mariot Ogilvy a life-tack of Burnton of Ethie, and the

¹ A. D. C., March 5 and 7. Beaton's cautioners for the £3000 were James Colvill of Uchiltre, Sir John Striveling of Keyr, and George Ramsay of Clatty.

² Arbroath R. N., 769.

³ *Rentale S. Andræ* (Scot. Hist. Soc.), Introduction. Appendix I.

register contains notices of other leases in favour of "Mistres Marion Ogilbye," as she was sometimes styled. This daughter of the first Lord Ogilvy of Airlie has been characteristically described as Beaton's "chief lewd." Possibly the archbishop disapproved his nephew's conduct, and the lady had more to do with the litigation than appears; but there is not the evidence to satisfy curiosity or confirm suspicion.

The year which saw the landing of David Beaton at Dunbar witnessed also the return of Angus from his exile. Step by step the earl rose to supreme power under the king, and so long as his ascendancy endured the Beatons were excluded from the government. The Great Seal was taken from the archbishop, and in his political leisure he gave heed to the things of religion. Acts of the Parliament had failed to check the spread of the Lutheran heresy, and it seemed good to him to bring one of the heretics to trial. Patrick Hamilton was sentenced to death, and on the last day of February 1528 was burnt at St Andrews. Intolerance with persecuting zeal was alien to the habits of the peaceful prelate and gentle theologian who was responsible for Hamilton's death; and no injustice is done to David Beaton's reputation by the suggestion that he, who was one of Hamilton's judges, inspired the

archbishop to secure the condemnation of the man whom Protestants have continued to revere as the first martyr of the Scottish Reformation.¹

Though the Great Seal was not restored to Archbishop Beaton at the fall of Angus, he was received into the royal favour, and on January 3, 1529, the Privy Seal was given to his nephew.² The duties of the keeper of the Privy Seal demanded neither particular skill nor great wisdom, but the office added to his dignity. Throughout the greater part of the reign of James his chief adviser in political as in ecclesiastical affairs was David Beaton, who on occasions was also his Commissioner at the Court of France. By the defeat at Pavia the French king was excluded from intervention in international politics, and could give no aid to Scotland in the struggle with England. Henry, on the other hand, was satisfied that his cause was prospering so long as Angus was directing the government. No treaty, however, existed between the two countries, and at last, in 1528, a peace for five years was arranged. Yet the peace was not preserved, as Henry, regardless of his promises and

¹ Vol. iii. 175-187.

² Privy Seal R., i. 4019. Cf. Introduction to Register for the duties of the keeper. Financial favours were granted at this time by the king (*ibid.*, 4081).

undertakings, sent Northumberland with an army across the Border, hoping to coerce James, amidst his troubles with the political factions, to sue for peace and join him in opposing the emperor. The Scottish king, however, would enter into no league at dictation, and feared only for the safety of his realm. Accordingly in 1533 he sent Beaton as envoy and intimated to the Parliament of Paris that the ambassador would vindicate his complaint against those who were seeking to disturb the amity which had existed between Scotland and France.¹ Buchanan relates that Beaton was instructed to seek the emperor, if he failed with Francis; and as a marriage between James and a princess related to the emperor was mentioned at this time, it is evident that the Scottish ambassador was threatening a dissolution of the old alliance.² Francis, however, who was alive to the danger of the alienation of Scotland and was promising help to secure a peace between England and Scotland, declared his willingness to give James his daughter Madeleine, when she was of marriageable age, or some other lady of France.³ The ambassador had reason to be satisfied with the

¹ H., vi. 187, 190, 191. Appendix II.

² History, xiv. 45. H., vii. 114. Cf. *Les Mariages de Jacques V.* (Edmond Bapst), 193.

³ H., vi. 382, 408, 691, 692.

result of his mission, and had no need to seek an interview with Charles. On his return to Scotland he was permitted to pass through England, but before he crossed the Channel his movements were reported by agents of the jealous powers.¹

The King of France had named Madeleine; and James, eager that the promise should be fulfilled, commissioned Beaton and Sir Thomas Erskine of Brechin, in the beginning of 1534, to make the arrangements for the marriage.² Henry, however, was determined that the alliance of the countries should not be strengthened by the marriage of the King of Scotland with a daughter of France; and whatever his objections were, or whatever threats he used, his interposition was certainly not futile. Francis withdrew the promise of Madeleine's hand, and suggested Mary of Bourbon as a wife for James. The Scottish Commissioners, who were not prepared to accept with ready response a proposal made by Francis but dictated by Henry, entered into negotiations, which were not altogether new, for a union of their sovereign with Dorothy of Denmark, a kinswoman of the emperor.³

The interference of the King of England with

¹ H., vi. 707, 819, 907.

² R. M. S., iii. 1351.

³ *Les Mariages de Jacques V.*, 212.

his nephew's affairs did not cease when he separated him from the Princess Madeleine. He had been acknowledged Supreme Head of the Church of England, and, anxious that James should follow him in repudiating Rome, he suggested that they should meet. James, however, was surrounded by clerical councillors who advised him to decline the wily invitation; and Henry sought, therefore, in his anger, to obstruct the alliance of Scotland and France and prevent or postpone the marriage with Mary of Bourbon, which after many changes was again under consideration.¹ Yet the two countries were not to be set against each other simply because the King of England would not suffer meekly that his plans should be thwarted; and on June 23, 1535, Margaret informed Henry that ambassadors, among whom was the Abbot of Arbroath, had been appointed to proceed to France anent her dearest son's marriage with the Duke of Vendôme's daughter.² Towards the close of 1535, and again in January of the following year, Beaton was in France. Passing through London he visited Chapuys, the representative of the emperor at the English Court, and discussed with him the pope's proposal, revealed in a brief address to James, to deprive Henry of his kingdom. Chapuys afterwards narrated that,

¹ Hamilton Papers, i. 26.

² Ibid., 18.

when Beaton was speaking with Henry of the heretical doctrines of the English, there resounded up in the air a most horrible and sudden clap of thunder, louder than any that was ever heard, and that the king began to make the sign of the cross, though not so much, according to Cromwell, for the awe of the thing as for the terrific words uttered by the Scotsman.¹

In spite of Henry's anger and threats a contract of marriage between James and Mary of Bourbon was signed in March 1536.² With caution not unworthy of a Scot, or perhaps in the spirit of romance, James determined to see the lady selected for him by diplomacy, and accompanied by David Beaton and others set sail for France.³ For some reason he was dissatisfied, and, departing from her, found his way to Paris, where love for the Princess Madeleine, frail and sickly though she was, induced him to set aside the contract. Lindsay of Pitscottie describes with graphic imagination the scene at Vendôme and the rejoicings which continued for eight days after the lady had discovered her disguised suitor; and shows the disappointed lover leaving for the wars and meeting the King of France, with whom

¹ Spanish State Papers, v. ii. 9.

² Les Mariages de Jacques V., 272.

³ H., xi. 400. Diurnal of Occurrents.

he journeyed to Paris. James and Madeleine were married with imposing ceremony on January 1, 1537, and in May they landed in Scotland.¹ Lindesay narrates with touching grace that "when the queen came in Scottish ground she bowed and inclined herself to the earth, and took the moulds thereof and kissed; syne thanked God that He had brought her safely through the sea with her husband to their own country." Her husband's country was not the sunny land of France, and in July she was dead.

Exigencies of state required James to seek another wife, and the Abbot of Arbroath with the Earl of Moray was commissioned to ask for the hand of Mary, daughter of the Duke of Guise and widow of the Duke of Longueville.² Complications arose when Henry appeared as the rival of his nephew. Castillon, writing from London to the Grand Master, advised that Beaton should be made to speak a little sharply, and should point out that the King of England was wrong in attempting to get the wife of the King of Scots, who would hazard his kingdom rather than suffer such an injury; and the abbot, who was not slow to insist on his master's rights,

¹ Buchanan, xiv. 52. Cf. Teulet, *Relations Politiques de la France et de l'Espagne avec l'Ecosse*, i. 106, 112.

² H., xii. ii. 829. Cf. *Les Mariages de Jacques V.*

asserted with truth that the Scottish marriage was arranged before Henry appeared as a suitor.¹ While Beaton was on French soil intimation was made to Francis that Sir George Douglas, who had been accused by the Scottish prelate of disloyalty to the English king, desired to vindicate his honour. The result is unknown of the quarrel between the knight and the priest, who in later years were to be bitter enemies and leaders of rival factions, though it appears that Douglas proposed to do battle with some one worthy to be Beaton's champion.²

The difficulties created by Henry as the rival of his nephew were overcome by Beaton, and in January 1538 James and Mary were married by proxy. In the following June they were united according to the rites of the Church in the Cathedral of St Andrews. Beaton, by that time coadjutor-archbishop, was the officiating priest, as the archbishop was an infirm old man; and in 1539, when a son was born to the king and queen, he was one of the godfathers. At the coronation in Holyrood it was he who placed the crown on Mary's head.³ Till the day of his death, with almost unbroken trust, the prelate and the queen were staunch friends, united in

¹ H., xiii. i. 118, 180, 273.

² Ibid., 509, 562.

³ Lesley's Hist. of Scotl., 155. Cf. Teulet, i. 115; Diurnal of Occurrents. New sandals of red damask were purchased by the prelate for the coronation (Rentale S. Andr.).

their favour to France, their opposition to England, and their support of the Catholic Church.

Lindesay of Pitscottie narrates that Lord Maxwell prevented Beaton from journeying in the ship which conveyed the queen to Scotland, and that a quarrel ensued. Undoubtedly there was a quarrel, whatever the occasion may have been; and while it continued Maxwell appeared at the Court, probably to exonerate himself. James, however, was not roused to visit the prelate with displeasure, as before the close of the year he was a guest at the Abbey of Arbroath.¹

The missions entrusted to Beaton were indications of the confidence reposed in him by James; and indeed no man exercised a greater influence over the young king or wielded such power as he in the government of the realm. The Bishop of Faenza referred to him in various letters, describing him as a prelate "who conducts everything," as "the abbot whom one may call the king himself," and as "the abbot who rules James." He reported, too, that James desired that the abbot should be made a cardinal, and declared that Beaton showed "an infinite thirst to serve his Holiness."²

In the period between the king's marriages

¹ H., xiii. ii. 1129.

² Ibid., xi. 1173, 1194, 1315. Ibid., xii. i. 923.

Beaton was sent to England to negotiate concerning disturbances on the Border, and to answer a complaint regarding the reception of refugees.¹ The mission of the prelate afforded Margaret an opportunity to write to her brother, and with the purposes of a peacemaker she assured him that her son was well disposed toward him, as Beaton would show.² The relations of the two countries were strained, and more than Margaret's friendly assurance was required to calm the irritation of Henry against James as a staunch supporter of the papacy. Henry, in changing the government of the Church in England, had shown his nephew what he believed to be the excellent way of reform, and yet Scotland continued in her obedience to Rome. Naturally the ecclesiastical revolution in England was a serious injury to the papal power, and Pope Paul, like his predecessor Clement, prayed that Henry might go down to destruction and his works might follow. Rome trusted that the King of Scotland would avenge the Vicar of Christ, if the English Catholics moved in defence of their faith. The rising known as the Pilgrimage of Grace seemed to promise that they would not forget their allegiance to the pope, and at St Peter's on Christmas Eve, 1536, a sword and cap were consecrated for James, the sword to smite the enemies of the

¹ H., xii. ii. 422, 430, 491.

² Ibid., 55.

Church and the cap to protect the smiter. The pope was informed by Faenza, while James was still in France with Madeleine, that though he was receiving caresses from Beaton and his master he was convinced that reliance could be placed on them. Recommending him for consideration, he declared that Beaton would secure the publication in England of the papal censures against Henry. At the same time he intimated that those who lived under the care of the prelate and loved him wonderfully were soliciting on his behalf a favour of which the Prior of the Servites would speak ; and he explained that Beaton, who was like a father to James and could do with the kingdom as he wished, desired to be of use to the pope. In view of Scotland engaging in a war on behalf of the Church, the bishop suggested that Beaton should be made a cardinal and a legate *a latere*.¹

The war for the Church, in which James was to take part, was not waged, as Henry stopped the Pilgrimage of Grace and crushed another rising of the Catholics. Some of these Catholics, fleeing for their lives, crossed the Border ; and Henry was not slow to complain that his rebels were harboured by the Scottish king. James in consequence sent Beaton to England, and, whatever

¹ H., xii. i. 88, 463, 647, 923. Faenza supported a suit by Beaton which the king and queen were commending (*ibid.*, 653).

explanations were offered, the refugees were not sent back to their own country. Henry in turn intimated that James would be satisfied with the communications made to the Scottish ambassador, while Norfolk deemed it prudent to send to Scotland an account of Beaton's pledges regarding the refugees. The abbot was known to be an astute diplomatist, and his assurances had roused suspicion. In the interviews the English king did not preserve an even temper. He knew that Beaton was about to cross the Channel to negotiate for the hand of Mary of Guise, and that the marriage would strengthen the ancient alliance. His own eyes were turning to the lady, but angry and jealous though he was, he could not prevent the Scottish ambassador from proceeding on his mission.¹

After Pavia the Regent Louise had spoken of a French benefice for David Beaton, and Francis, though the political situation was changed, saw the expediency of rewarding the man who had laboured for the friendly relations of the two countries. Accordingly, at the instance of Francis, on December 5, 1537, the pope provided Beaton to the bishopric of Mirepoix, a suffragan see of Toulouse, with an annual revenue of ten thousand livres. In the same year Beaton was made coadjutor and successor to the Archbishop of St

¹ H., xii. ii. 525, 566, 588, 590.

Andrews; and the promotion was most probably secured by the favour of the king, though Bishop Lesley says that James Beaton "befoir his deid had providet successouris to all his benefices, quhilkis were Mr David Betoun, then being cardinall, to the archbishoprick of St Androis and the Abbacye of Arbroith."¹

A greater honour than St Andrews or Mirepoix was in store for Beaton; and on December 20, 1538, he was raised to the cardinalate. Faenza had suggested the princely dignity for the Scotsman, and James had been desirous of the honour for his counsellor. Francis, too, had made overtures to Rome. It appears that James had written twice to Pope Paul, who replied that he was too much occupied with making peace between Christian princes to attend to the royal request. James protested in turn that he was moved by anxious thoughts for the faith and the ecclesiastical order, especially as the enemy was sowing tares not merely in a neighbouring field but in the nearest furrow; and he urged the pope to consider how much easier it would be to maintain a standing Church than to raise a fallen one.

The pope was not deaf to the solicitations of

¹ Brady's *Episc. Succession*, i. 125. Bellesheim's *Hist. of the Cath. Church in Scotl.* (Engl. Transl.), ii. 153. A writ of Jan. 13, 1538, states that Beaton's appointment to St Andrews preceded his provision to Mirepoix (Dowden's *Bishops of Scotl.*, 41). Cf. Appendix III.

the king, and knew only too well that Henry was eager to induce his nephew to declare against Rome. Accordingly he agreed to bestow the cardinal's hat, but at the same time refused to endow Beaton with the authority of a legate *a latere*, even though that authority would enable its dispenser to ignore all secular judges in dealing with the enemies of the Church.¹

Beaton himself wrote to his agent in Rome, expressing the wish for "a special faculty, and as ample and better than our predecessors, as Bishop Forman had, whilk was a good faculty for this realm and the king's subjects and lieges, and did sober skaith to the Court of Rome, or none worthy to be spoken of." In a later year, when fresh solicitations had been made and when James was dead, Pope Paul granted the legatine authority.² The evident reluctance with which the powers *a latere* were given was due to a fear that Beaton, good churchman as he was, would exercise them too freely in connection with the feuing of church lands. The king had long been desirous of extracting a share of the ecclesiastical wealth for administrative purposes, and the immediate profits which might be realised by alienation offered a ready means of obtaining contributions without friction. It was significant that the

¹ H., xiii. ii. 102, 417, 1079.

² Cf. Robertson's *Statuta*, i. 130.

coadjutor of St Andrews, just when he was being elevated to the cardinalate in Rome, received a royal commission as an auditor for the ecclesiastical taxation which had been the subject of controversy in the days of Clement VII., and which was still in arrears, and that James was devoting part of the money to the fabric of his palaces, such as Falkland and Holyrood.¹ From the point of view of Rome Beaton was too successful a minister to be altogether trustworthy as a legate *a latere*, and the commission was withheld until the danger to the Church in Scotland overcame all other considerations.² Though refusing the legatine power, the pope showed his favour on February 4, 1539, by granting Beaton a special indult to dispose of benefices in the St Andrews diocese falling vacant in the Apostolic months; and when setting out for France in July 1541, the cardinal authorised John Lauder to present and collate according to a list of names in the chamberlain's custody.³

David Beaton stands in history as the one Scottish cardinal. Towards the close of the fourteenth century Walter Wardlaw, Bishop of Glasgow, was created a cardinal by Clement VII., the first anti-pope of the Great Schism; but

¹ Accounts of the Master of Works (Reg. Ho.), v.

² On this subject see *Rentale S. Andr.*, Introduction.

³ *Ibid.*; F., 426. Cf. Appendix IV.

anti-popes have not been recognised in the Roman succession and their cardinals have not been numbered in the Sacred College. Alexander Stewart, Andrew Forman, and James Beaton each sought with the patronage of a king to obtain the red hat, but David Beaton alone of Scottish ecclesiastics rose to princely rank in the Church.

1539-1542.

As courtesy dictated, congratulations were given to the new cardinal. Reginald Pole, who himself enjoyed the distinction, explained that he favoured the grant, when it was first announced that the King of Scotland was demanding for his realm a pillar of the Church; and on giving his vote he expressed extreme satisfaction. He proceeded to say that as the dignity had been conferred he congratulated Beaton, but not more than he congratulated Scotland, which would be saved from the touch of those neighbours who by confounding divine and human institutions were seeking to deprive the Church of order, decorum, and strength. Further, Scotland would have her hinge and pillar to maintain the dignity of the hierarchy and preserve the country from the contagion of corrupt men.¹

Four days after the announcement of the elevation to the cardinalate, directions were

¹ Venetian State Papers, v. 194.

issued for the transmission of the red hat.¹ As a rule the hat was not given unless the favoured person visited Rome, and only the biretta was sent to him. The cause of the gracious exception in Beaton's case was the ecclesiastical revolution in England. Writing on January 8, 1539, Cardinal Farnese announced that Latinus Juvenalis, who was to deliver the hat, would proceed to France in order to discuss the condition of England, which was the immediate cause of Beaton's promotion. He admitted that, while the virtues of the man and the supplications of his sovereign had contributed to secure the honour, it was designed to keep Scotland free from harm from the South. It was necessary, too, that Henry should be punished for his wanton attack on the papal power and military details be arranged. Cardinal Pole was to consult, therefore, with the emperor and the King of France, and Beaton was to be summoned from Scotland to receive his insignia and discuss the details of a campaign.² The emperor had a special reason in the wrong done to Catherine of Aragon to unite with Rome in attacking Henry, and in the course of the negotiations Pope Paul assured him that James and his excellent minister, David Beaton, would be

¹ H., xiii. ii. 1136.

² Ibid., xiv. i. 14, 36.

ready to assist.¹ James, of course, was willing that the prelate should visit France to receive the red hat, and he appointed him procurator to transact certain affairs of private business.²

The death of James Beaton on February 14, 1539, prevented for a time the cardinal's visit to France, as there were duties to perform and interests to consider.³ A few days after the death of the aged prelate the Bishop of Galloway delivered the pall and the cross to the archbishop; but these must have been made ready for a ceremony while James Beaton was still alive.⁴ The labours of David Beaton were not multiplied by his elevation to the full dignity of an archbishop, since as coadjutor he had taken complete charge of the see of St Andrews; but his income was materially increased, and St Andrews, Arbroath, and Mirepoix contributed to his style and dignity as a cardinal. Eager though he must have been to secure the red hat and add to his pomp, and also to take part in the deliberations concerning the campaign against Henry, he saw the need of securing the Church at home before venturing abroad, as there was a danger that Cromwell's hopes

¹ Cf. Froude's *Hist. of Engl.*, ch. xv.

² R. M. S., iii. 1914.

³ Appendix V.

⁴ Cf. Robertson's *Statuta*, i. 117.

might be fulfilled and that God would "extend his brightness" upon the Scots. The Lutheran heresy was spreading, and many Scotsmen, affected by it, were passing into England.¹ In an age when the ancient Church was on its trial and the truth of many articles of the faith was being questioned, persecution was not the wisest policy, though it might be the most effective method of preventing the advance of the new doctrines. Beaton, astute statesman and clever diplomatist, could not discern the spiritual signs of the times; and, raised to princely dignity that he might be the saviour of his Church, thought to justify his elevation by purifying the land from heresy. Towards the end of February an inquisition was organised in which Beaton, on Knox's showing, was much more impetuous than the Archbishop of Glasgow. To ensure a strict and thorough inquiry he sent two of his men, Lauder and Oliphant, to the West; and a court was opened in Edinburgh over which he and "the incestuous Bishop of Dunblane" presided.² The priestly judges were not merciful. Four ecclesiastics and one layman were condemned to death, and several men were sentenced to banishment. The layman was Robert Forester, a

¹ H., xiv. i. 585.

² A payment was made for a great stand in the Church of Holyrood for the accusation of heretics (Rentale S. Andr.).

notary at Stirling, and the ecclesiastics were John Keillor and John Beveridge of the Dominican Order, Duncan Simpson, a priest of Stirling, and Thomas Forret, the Vicar of Dollar. Keillor had written a play, of which the subject was the passion of Christ; and the priests and Pharisees persuading Pilate to condemn Christ represented or suggested the churchmen inducing the king to persecute the reformers. The Vicar of Dollar had been in the habit of preaching on Sundays; had taught his people to repeat the Creed, the Lord's Prayer, and the Ten Commandments; and had refused to take "the cow and the uppermost" in payment for prayers for the dead. Calderwood, the Church historian, asserts that Forret had been summoned "diverse times" before the Bishops of St Andrews and Dunkeld, and had escaped punishment till he fell under the stronger power of the cardinal. It is evident, therefore, that tradition did not number James Beaton among the fierce inquisitors, even though persecution was waged in his name. The cardinal, however, was of another spirit. The five men were burnt on the Castle Hill of Edinburgh, and the king was one of the spectators. From the ranks of the clerics came men who answered to the roll-call of the martyrs for the reformed doctrine.

At the court held at Glasgow a young Fran-

ciscan friar, Jeremy Russel, and Alexander Kennedy, a lad not eighteen years of age but "of excellent wit in vulgar poetry," were brought to trial. Kennedy betrayed signs of weakness, but Russel strengthened him; and these two, after making a good confession, were sent to the stake. The Archbishop of Glasgow did not desire their death, and the cardinal's commissioners addressed him: "What will ye do, my lord? Will ye condemn all that my lord cardinal and the other bishops and we have done? If so ye do, ye show yourself enemy to the Church and us, and so we will repute you, be ye assured."¹ The prelate left the youths to their fate; but he was wiser than Beaton in shunning the uses of the inquisition, and may have had pity for the victims.

George Buchanan narrates that in the beginning of 1539 "many persons suspected of Lutheranism were seized. Five were burnt, nine recanted, and many were banished. Among these last was George Buchanan, who escaped by the window of his prison while his keepers were asleep." He had roused the anger of the Franciscans by his 'Somnium,' 'Palinodia,' and 'Franciscanus,' and in attacking them had assailed the Church of which Beaton was the

¹ Knox's History.

guardian. But the satirist won the royal favour, and the cardinal knew that in the day of the Church's danger it was not prudent to exasperate the king. James, while careful not to offend, committed Buchanan to a prison from which escape was not impossible. Out of this prison the poet fled, when he learned that a bribe was being offered to the king to deliver him into the hands of the spiritual judge. Passing through England he reached France, and in Paris heard that the cardinal was in the city. Good fortune helped him, however, and he was offered and accepted a professorship at Bordeaux. Beaton could not punish him in regions beyond Scotland, but he urged the Archbishop of Bordeaux to secure his arrest. In the 'Baptistes,' written in his exile, the poet represented Malchus, the high priest, as the stubborn upholder of the tradition of the elders and the bitter foe of heretics; and the high priest's words might have been the cardinal's.¹

As soon as the tragedies of the inquisition were completed, Beaton made ready to proceed to France. On March 7, 1539, the royal confirmation of the charter of St Mary's College, St Andrews, founded by James Beaton, firmly

¹ Buchanan's History and Life. Cf. Hume Brown's George Buchanan. Cf. Appendix VI.

established what was intended to be a stronghold of the faith.¹ The cardinal is not remembered as a patron of learning; but from time to time he gave money for the erection of the St Mary's College buildings, and in 1545 granted to St Leonard's College a charter which had regard to the strengthening of discipline.² His account-book shows that in the period ending September 30, 1539, he gave £221 (Scots) to Sir Walter Mar, master of works; and in the following period, on two occasions, paid certain French masons for visiting St Andrews and advising in regard to the college. In 1540 building was continued, and in 1541 the sum spent was £400. St Mary's was not forgotten by the cardinal while the larger interests of the State demanded his care, as in 1542 he expended £300 on the work, and issued letters against his kinsman, Master John Hay, in connection with the rectory of Tynnynghame, which had been annexed to the college.³ Immediately after the issue of the confirmation of St Mary's, the king granted lands in Forfarshire, forfeited by Lord Glamis, to the cardinal's son David and his heirs, and, if they failed, to James,

¹ R. M. S., iii. 1930.

² Herkless and Hannay's College of St Leonard.

³ Rentale S. Andr.

another son.¹ At the same time a letter of thanks for Beaton's promotion to the cardinalate was directed to Paul III.²

Beaton was in Leith on March 18, and on March 23 was at Dieppe.³ Reginald Pole, who was devising plans for an attack on England, was eager to confer with him; and Latinus was waiting to present the red hat.⁴ Norfolk, while transmitting the disquieting news that the Scottish king had made proclamation to men between sixteen and sixty to be ready to assemble with arms on a day's notice, represented that Beaton had gone to France to discover what aid would be obtained from Francis and the pope, and declared that England had no greater enemy than the cardinal.⁵ Opinion in Scotland was divided in regard to the national policy. Beaton's faction favoured an attack on England, but did not approve the proposal of a French ambassador that about May 15 Berwick should be threatened by the Scots, while the French should land in the south of England. The cardinal's visit to

¹ R. M. S., iii. 1931. For a royal concession of lands to Beaton, cf. *ibid.*, 1916.

² Theiner, p. 608. Letters of thanks were sent to certain cardinals (*H.*, xiv. i. 472-476).

³ *Rentale S. Andr.* Cf. *ibid.* for the finance connected with the visit.

⁴ *H.*, xiv. i. 603, 614.

⁵ *Ibid.*, 625.

France might have effect, and Henry might agree to the plans of Francis. Another faction under Lord Maxwell besought James not to break with Henry. While Maxwell spoke for some of the temporal lords, Beaton represented the churchmen, who hated the English king for menacing their power, and had himself special cause for resentment, as Henry was advising James not to yield "to that usurper of Rome," and not to suffer any one of his subjects to take upon him "that red hat of pride" which would make him the liegeman of the Bishop of Rome.¹

The immediate object of Beaton's journey was accomplished when he received the red hat, and by May 16 Latinus was once more in Rome.² While in France the cardinal secured a privilege from the king. In November 1537 he had obtained the right to hold benefices, acquire property and transmit it by testament, and now Francis granted that succession need not involve naturalisation.³ Amidst affairs of high policy, Beaton attended to the interests of the Scottish queen, and satisfied James, who was rapidly acquiring a reputation for covetousness.⁴ Doubtless the king was grateful to the prelate; and yet, probably, it was neither

¹ H., xiv. i. 697, 773.

² Ibid., 975.

³ Ibid., 1185.

⁴ Ibid., xiv. ii. 131, 167.

good-will towards him nor concern for the spiritual needs of the realm, but a purely financial motive which induced him to assail the pope with requests for legatine powers for the cardinal.¹ These powers had been refused, but the pope had shown favour to the prelate by granting him authority, in spite of reservations, to assign benefices in his disposition as Bishop of Mirepoix, Coadjutor of St Andrews, and Commendator of Arbroath.² Further, a Bull was issued on May 14, 1539, declaring that the exemption of Glasgow from the jurisdiction of St Andrews should cease with the life of Archbishop Dunbar.³ Before the date of the foundation of the College of Justice, the king had firmly opposed the grant of legatine powers to James Beaton, who was too good a churchman to manipulate ecclesiastical affairs at the dictate of the crown. Very likely David Beaton, on the other hand, was willing to please, even to the violation of the Canon Law. By that law, leases were not to be granted for long periods, as there was danger of dilapidation; but for many years teinds had been given in tack, in order that the trouble of direct collection might be avoided. During the fifteenth century crown lands began to be

¹ Theiner, p. 612.

² Appendix IV.

³ Cf. Robertson's *Statuta*, i. 131.

feued, to the advantage of the realm as well as of the ruler, and it was natural that the prelates should follow an example of progress.¹ Papal sanction, however, was required for the feuing of Church lands; and the fact that legatine authority was withheld from Beaton, in spite of the king's letter of August 10, 1539, suggests, as has been indicated, that Rome was alive to a danger. The cardinal, indeed, might be trusted to secure the continued obedience of Scotland to the papacy; but as a councillor and courtier he might be exposed to royal influences, and the coveted authority might be exercised with results disastrous to the property of the Church. The alleged reason for the papal refusal was the fear that other princes might make a similar request.² James, however, pointed out to Cardinal Ghinucci the difficulty of the journey from Scotland, which must be met when special authority had to be obtained from Rome; and on January 1, 1540, he again approached the pope.³ Had the contributions which the king sought from his clergy been devoted to the cause of the Church, the pope might have found reason to comply; but he must have been aware that the tax granted by his predecessor was being spent upon selfish objects, and that James

¹ Appendix VII.² H., xiv. ii. 668.³ Ibid., xv. 5.

did not at present deserve encouragement in his financial plans.

On September 9, 1539, the cardinal received the title of St Stephen in the Coelian Mount.¹ A few weeks later, his sons James, Alexander, and John were legitimated, and the act which raised their position did not lower their father's reputation in the Church or State.² At the end of September or beginning of October Beaton returned to Scotland.³ The league against Henry had come to nought and his country was not attacked. By the mediation of the pope the Truce of Nice, to which Charles and Francis were parties, had been signed on June 18, 1538, and shortly afterwards the Bull of excommunication against Henry had been prepared. Cardinal Pole, inspired by zeal for the Church and moved by resentment against Henry, wrought vigorously to win Charles to the side of the pope in the quarrel with England; and early in 1539 English ships were arrested in Flanders, the Spanish ambassador was recalled from England,

¹ H., xiv. ii. 144.

² R. M. S., iii. 2037. A precept of legitimation of a son and two daughters had been issued on March 5, 1531 (Privy Seal R.).

³ He was in St Andrews on Oct. 3 (Rentale S. Andr.). In the Exchequer Account, Sept. 6, money was acknowledged from the rents of Guienne, paid through Beaton (E. R., xvii. 273). He granted feu-farms on Oct. 6 and Nov. 8 (Charters in Register House).

and a fleet was collected at Antwerp and other ports, ready for sea. In April, however, the welcome news reached England that the fleet was dispersed. The emperor saw that the English were prepared to resist an invasion, and he informed the pope that in the condition of Germany a quarrel with Henry must be avoided. Reginald Pole had failed, and the league had been dissolved for which the Scotsman's presence in France had been required. In July Beaton was anxious to depart, but the Constable of France urged him to remain till communications were received from Rome, Spain, and England.¹ Diplomacy and intrigue were still at work, but the league was broken.

Beaton was not responsible for the failure of his mission, and no one charged him with incompetence. The king, on the contrary, continued to place confidence in him and to be mindful of his private interests. James, at the same time, was fitful in temper and troubled about riches, and might be swayed by the example of his uncle, who was engaged in the dissolution of the monasteries. Beaton knew well the character of the king, and one of his letters of the period revealed very clearly the churchman's apprehensions. In a communication addressed to Andrew Oliphant, Vicar of

¹ H., xiv. i. 1237. Cf. ii. 92, 131.

Foulis, his agent in Rome, he enjoined him to see that the pope did not irritate the king over a benefice that was in dispute; and on his own behalf made request for the privilege to bear his cross in the province of Glasgow. "Attour," he wrote to Oliphant, "ye shall incontinent get us an brief, that we as Primate of the realm may bear our cross before us *per totum regnum Scotiae, et in diocesi et provincia Glascuensi, et aliis locis qualitercumque exemptis, absque tamen praejudicio exceptionum earundem*; and that this be expedite with all diligence, and that this brief be well extended and committed *certis iudicibus in partibus, videlicet, Episcopo et Subdecano Rossensi ac Decano de Restalrig cum assistentia in eventum* if any of thir exeemed diocesses or persons would alledge that we should not bear our Cross within them, *cum derogatione exceptionum earundem ad effectum deferendi crucem duntaxat, et non alias, et absque exceptionum earundem praejudicio, &c.*"¹ In a postscript, dated December 7, 1539, Beaton acknowledged receipt of the Bull of his title and announced that the king was eager for the grant of legatine power.² Though pressing for that power James showed no inclination to tolerate abuses, as he asked Cardinal Ghinucci to thwart a plan devised by

¹ Sadler's State Papers, i. 14.

² H., xv. 136.

George Dury, Beaton's cousin, for transferring the archdeaconry of St Andrews to a boy.¹

The suppression of the great monasteries, in the judgment of orthodox churchmen, was an aggravation of Henry's criminal repudiation of the papal power, and of course did not pass unnoticed in Scotland and France. In spite of the failure of the Catholic league against Henry, negotiations between Scotland and France were renewed, and it was reported that certain letters which fell into English hands showed that the cardinal was meditating a journey to Rome in Lent, and that the Scots were at some "mystery" with their allies.² To strain still further the relations of Scotland and England, one of the most valiant opponents of Henry's monastic policy, Dr Hilliard, chaplain of the Bishop of Durham, crossed the Border in the middle of December, hoping to find a refuge with the cardinal. In his search for Beaton he passed to Edinburgh and Glasgow, and then journeyed to Linlithgow where he witnessed, though not as an admiring spectator, Sir David Lyndsay's "Satire of the Three Estates."³

The boldness of the poet's utterance had effect on the king, as it displayed the vices of

¹ H., xiv. ii. 673. Cf. Appendix VIII. ² Ibid., 732, xv. 5, 25.

³ H., xiv. ii. 684, 723, xv. 32. Before Christmas the cardinal offered 34s. to the relics at Dumfries (Rentale S. Andr.). Similar offerings were made at Restalrig and Loretto in April 1540 (ibid.).

the clergy, which even charity could not excuse and no policy could justify, and the cardinal with his own indecencies and his knowledge of the prelates and priests must have seen the danger which threatened the Church. Information duly reached Cromwell, Henry's minister, that James and the temporal lords were set on a reformation of the manners of the clergy, that the Archbishop of Glasgow had been severely admonished, and that the churchmen were to be deposed from their offices in the State. The Englishman may have believed that a revolution was inevitable; in any case, as he would not lose the opportunity of inciting James to the work of reformation, he approved the proposal to send Ralph Sadler to the Scottish Court and prepared careful instructions, which were to be concealed at all costs from the cardinal and his friends. The king was to be roused to jealousy over the letter to Oliphant, which had been secured, and it was to be shown that a suppression of the monasteries would increase the royal revenues.¹

Shortly after his arrival in Edinburgh in February 1540, Sadler was conducted to Holyrood by Captain Borthwick and Sir David Lyndsay, who, as they were not of the cardinal's party, were probably selected by the king.² At

¹ H., xv. 114, 136.

² Beaton was in Edinburgh on Feb. 20 (A. D. C. S. ; T. A., vii. 362).

Holyrood the king was seen at mass, kneeling under a "cloath of estate without any travel," and surrounded by the cardinal and divers bishops and nobles. When the pious service was concluded, Sadler was presented, and soon found opportunity to set forth his business in accordance with his instructions. A charge was made against the cardinal, whatever it may have been in detail; and James replied that if Beaton had offended he would not stand in awe of any to punish him, though at the same time he showed that he was aware of the request for the legatine authority. Sadler thereupon offered to read the letter which Beaton had written to Oliphant. James, speaking very softly, as the cardinal was in the chamber, bade him keep it for another time. He discussed quite frankly the suppression of the monasteries, though he did not satisfy the Englishman when he urged that the fact that some of the religious houses were bad was no reason for a general destruction. He gave the assurance, however, that he would set himself to redress clamant evils. On the day after the interview the cardinal took Sadler to dine with the lords, placing him in the highest seat of honour, and accompanied him to a second conversation with the king. The letter to Oliphant was shown in secret to James, as

Beaton was present, and at the words "solicit that nothing be done that might in any wise irritate the king's grace and his council against the liberties of the Holy Kirk" he cried, "By God! they dread me." Yet he was ready to excuse the cardinal in everything, and seemed wondrous loath to hear of any untruth in him.¹

Sadler's visit to Edinburgh took place in the season of Lent, and difficulties arose when he ate forbidden foods. He was the commissioner of a king, and courtesy might have prevented interference with his diet; but he was the enemy of the Church, and churchmen could descend to petty spite. Being "an evil fishman" he partook of eggs and white meat; and the rumour spread that he and his people "did eat flesh." The king, whether or not he had the right, gave him permission to dine as he chose; but the cardinal, who could not lay hands on him, though he would have delighted in the death of the sinner, issued a proclamation, according to Sadler's version of the story, that any Scot who bought or ate eggs would be burnt and his goods confiscated.² The story was not without foundation. It appears from one of the *Formulare* documents, addressed by Beaton to the rural dean of Linlithgow and others, that as certain parishioners were sell-

¹ H., xv. 248.

² Ibid., 249.

ing forbidden food to Scots as well as aliens, while others, to avoid a breach of the law, were bestowing it as a gratuity or giving it by way of barter, all such persons were to be warned on pain of excommunication not to sell, give, or eat flesh and eggs during Lent.¹ The English commissioner could not openly take offence and could not formally protest, in a country which was still obedient to the pope, that his food supply was restricted in kind; and of the cardinal it might be said in charity that he was guarding his people from sin.

The English diplomacy failed, and Sadler, who could not shake the king's confidence or persuade him to demolish the religious houses, did not inaugurate the Scottish Reformation. Once more, on February 24, 1540, James asked the pope for the legatine authority, and about the same time granted a feu-charter of certain lands to one of the cardinal's sons.² There was one matter, however, on which James and Beaton did not agree. The pope proposed to appoint to Dryburgh a Scottish theologian of distinction, Robert Wauchope, who was Beaton's friend. The king had an opportunity of proving the sincerity of his desire for ecclesiastical efficiency by advancing one who might aid the

¹ F., 416.

² H., xv. 260. E. R., xvii. 377.

cardinal in defence of the faith; but certain domestic considerations had weight, and he nominated for the Abbey the second son of Lord Erskine.¹

In the troubled relations of England and Scotland the movements of the Scots were carefully watched, and an expedition organised by James for purposes entirely connected with the realm aroused English suspicions. A revolt had broken out in the Isles in 1539, and James determined to punish the offenders. Accordingly a fleet was made ready, and rumour was busy with its destination. On May 4, 1540, Sir Edward Aglionby sent word to Sir Thomas Wharton that James had summoned certain nobles, and that, though the preparations were ostensibly against the Isles, a fleet was to sail to France or Flanders and was to be joined by Huntly, Arran, and Beaton.² English nervousness contributed to exaggerate the project and invent details. It was said that the expedition had been deferred, and that in consequence the beer stored in the ships was soured; and further, that almost all the nobles would join the king, that Beaton was to have with him 500 men at his own

¹ H., xv. 136, 244.

² Ibid., 634. Beaton was raising money by feuing lands (R. M. S., iii. 2905).

charge, and that James would land at Honfleur, proceed to Paris, and return by the West Sea to make one of his natural sons Lord of the Isles.¹

The expedition was intended for the Isles; and if there was postponement it was probably due to the fact that on May 22, 1540, the queen bore "a prince fair and life-like." Shortly after that event the king set out, accompanied by Beaton and other lords. Beaton sailed in the *Mary Willeby*, and his accounts show the expenses he incurred.² Before his departure James refused, in a communication addressed to the pope, to consider Wauchope, "the blind theologian," for Dryburgh; and he intimated that the Archbishop of St Andrews had nominated William Gibson, Dean of Restalrig, as his suffragan. He wrote, too, to Cardinal Ghinucci against Wauchope, and continued to press for the legatine authority.³ The cardinal himself did not neglect the business of the Church while preparing for the voyage to the Isles. A court of inquisition was established at St Andrews, and Captain Borthwick, who had received Sadler at Edinburgh, was accused of heresy.⁴ Spottiswoode narrates that "the first

¹ H., xv. 709.

² Rentale S. Andr.

³ H., xv. 637, 759; Appendix IX.

⁴ James was in St Andrews during the sitting of the court (Rentale S. Andr.).

act of the cardinal after his promotion did show what an enemy he would be to those who in that time were called heretics, for he was not well warmed in his seat when, to make his greatness seen, he brought to St Andrews "certain earls and lords with "divers other barons and men of quality." After naming the churchmen in attendance, the historian proceeds to tell how Beaton, "sitting in chair somewhat erected above the rest (for that he was a cardinal), began to expone the dangers wherein the Catholic faith stood by the increase of heretics and the boldness they took to profess their opinions openly even in the king's court, where he said they found too great countenance." Borthwick had fled to England, but the trial proceeded and twelve charges were preferred. According to Foxe, while the Archbishop of Glasgow was president of the court, judgment was pronounced by the cardinal. The sentence was that Borthwick's goods were to be confiscated, his effigy was to be burnt at the market cross, he himself was to be harboured by no one, and, if apprehended, was to suffer punishment without hope of mercy.¹

¹ H., xv. 714. Knox's History, Foxe's Martyrs. Laing (Knox i., Appendix) says Beaton was not at the trial, but was absent with the king. James and Beaton were in St Andrews on May 28 (Rentale S. Andr. Hist. MSS. R., v. 631). Cf. Appendix X. on the articles against Borthwick.

One of the charges made against the accused was that he possessed the New Testament in English; and so late as September 1561 John Wynram, with the minister and kirk-session of St Andrews, declared the cardinal's sentence "to be null and wranguslie gevyn, and the gevaris tharof to hav schawynn tham selfis tharby mer ignorant of Godis Word and lawis, and plane inemeis to his trewth."¹ Wynram, who was Sub-Prior of St Andrews, took his doctor's degree in the year of Borthwick's condemnation, and received £20 from the cardinal.²

The provision of Gibson, the archbishop's suffragan, as bishop of Libaria was made on July 16, 1540, and it was decreed that he should exercise episcopal powers in the city and diocese of St Andrews, and that his salary should be £200. He was consecrated at St Andrews on August 28, 1541, during the cardinal's absence in France, and died on July 7 of the following year. It does not appear that any one succeeded him as suffragan, and yet the advancing years increased the political labours of the cardinal. The pope, though he elevated Gibson to episcopal dignity at the invitation of James, did not respond to the petition for the legatine authority, and

¹ R. of St Andrews Kirk-Session, i. 103, 104.

² Rentale S. Andr.

on July 31, 1540, the king renewed the request.¹

After his return from the Isles, the king agreed, according to Buchanan, to the appointment of Sir James Hamilton of Finnart as an inquisitor. It is difficult to believe, however, that Beaton approved the delegation of ecclesiastical authority to a layman; and, if Buchanan's story must be accepted, it is evident that the churchman consented to the nomination of Hamilton in the hope of obtaining judgment against men whom he himself could not attack. Knox narrates that the cardinal, feeling himself strong in the king's favour, resolved to strike at certain nobles whose fidelity to the faith was in doubt. A list of these nobles was prepared, but on the advice of Kirkcaldy of Grange the king rejected it, even though the prelates showed what profit might be gained by confiscation. "Pack you, Jefwellis," cried the king, "gett yow to your chargeis, and reforme your awin lyves, and be not instrumentis of discord betuix my nobilitie and me." James was a man of fitful moods and may have upbraided the clergy, but the words do not seem natural on the lips of a king whose conduct was not above reproach, and whose nobles were

¹ H., xv. 892, 933. H., xvii. 471. *Rentale S. Andr.* Appendix XI.

too often in revolt. It is true that Sadler afterwards heard from Arran that there had been a list of nobles and barons who might be condemned for heresy and stripped of their property; and, amidst the rumours concerning a roll of suspects, the story may have arisen that Hamilton of Finnart was appointed to preside over a court of inquisition. Drummond of Hawthornden tells how the inquisitor resolved to make an example of his own cousin, the brother of Patrick Hamilton. This man, in turn, exposed an old plot for the murder of the king, in which Finnart had a principal share; and the inquisitor's doom was sealed before he had opportunity to seize even one of the least of the heretics. James had a morbid dread of intrigues against his life, and on August 16, 1540, Hamilton was executed.¹ For a time the cardinal was out of favour with the king, and it may be conjectured that in some way he was associated with Finnart. The estrangement, however, did not continue, as on October 5 James was in St Andrews.²

Commercial interests, towards the close of the year 1540, compelled James to send an envoy to Charles V., and Campbell of Lundy was

¹ A. P. (Dec. 1540), *Diurnal of Occurrents*.

² H., xvi. 120. A. D. C. S. Beaton was present in St Giles', Edinburgh, on St Andrew's Day, and celebrated Christmas at St Andrews (Rentale S. Andr.).

selected. Prudence dictated that in passing through England the envoy should visit the Court and explain the nature of his business with the emperor; and Beaton engaged to show Francis that that business was purely commercial.¹ The English had good reason to watch the Scots, especially as Paul III. had entered on a new campaign of intrigue. Early in 1541 the pope gave up the attempt to confer Dryburgh on Wauchope, and on the strength of this concession instructed Beaton to approach James in reference to Ireland.² A reformation in accordance with English plans was in progress there, and in the same year, 1541, Henry assumed the title of King of Ireland and Head of the Irish Church. The Scottish king, however, in spite of the pope and the cardinal, showed no inclination to attack England for the cause of Ireland or for any other cause; and yet he did not succeed in maintaining peace. There was still the old trouble of the refugees. Henry demanded that these men should be delivered into his hands, and a special claim was made for Dr Hilliard, who was at the University of St Andrews under Beaton's protection.³ Apart altogether from his annoyance that Scotland was harbouring English rebels, he

¹ H., xvi. 149, 279, 373.

² Ibid., 563.

³ Herkless and Hannay's College of St Leonard, 222. Appendix XII.

was angry over the failure of Sadler's mission. He was to learn, too, from the transactions of a Parliament held in March 1541 that the power of the prelates had not been shaken. The Adoration of the Virgin was enjoined, and all subjects of the king were required to seek her intercession on behalf of peace between him and other Christian princes. Further, it was decreed that the authority of the pope should not be impugned. These enactments indicated that the prelates were keeping James within the pale of orthodoxy, but the Parliament was to show, at the same time, that loyalty to Rome did not imply immunity for the clergy. A statute for the reform of the Church expressly announced that negligence on the part of the clergy in the discharge of their duties would induce the king to press for papal intervention, and the higher prelates themselves were threatened. Henry could find no satisfaction in the Acts of the Parliament, and there was no promise of the Reformation.

During the sitting of the Parliament the king ratified the foundation of the College of Justice. By the original compromise the churchmen agreed to assign for its endowment benefices to the value of £1425; but as these benefices were not vacant they agreed to pay in proportion to the assignment. Neither of the Beatons had

conformed to the resolution, and at the date of the ratification the cardinal was owing £770 in respect of St Andrews and Arbroath. Not improbably the refusal to pay was connected with the claim for £860 which James Beaton had advanced in 1525 for certain diplomatic expenses.¹ In spite of the high position of the cardinal, an action was raised in the Court of Session and ended in an order to distrain upon temporal lands and goods for the arrears of payment.² The financial controversy, however, did not lead to a breach between the king and the cardinal; though it showed that James was not in complete subservience to the great churchman. The Parliament of March 1541 indicated that James had no intention of following his uncle on the path of separation from Rome. Yet the favour shown to the Church was not altogether a free-will offering, as he profited by his act of grace. On March 14 he wrote to Paul III., thanking him for the provision to Dryburgh and representing that the legatine authority would aid the repression of Lutheranism; while on April 11 he was able to assure his Holiness that the clergy were grateful for the measures against heresy. He was surprised to learn, however, that the

¹ Vol. iii. 237, 250. In 1546 the Treasury could not prove that the sum had been refunded (A. D. C. S., March 19 and May 24).

² A. D. C. S., April 2, 1541.

pope was delaying his sanction of a grant promised by them, and he stated that they had petitioned in favour of a papal confirmation. The sum amounted to 10,000 crowns, according to one of the English reports; but the clergy were cunning in their day and generation, if it was true that they "did prevent the same at Rome afore or ever the King of Scots had sent for the same confirmation."¹ Circumstances, however, began to favour them and render their support indispensable for the king.

A revocation of grants made during the king's minority was confirmed by the Parliament in December 1540; and the disappointed beneficiaries, if not prepared for revolt, were not ready at the king's call to engage in a campaign devised by the prelates for the protection of their order. The king's sons died; and after their death his suspicions of his nobles increased, and he became morbid in regard to his own safety.² He recognised, however, that the clergy could be trusted, as they were praying for his prosperity in the days of the Church's danger, and more and more he turned to them for counsel.

The cardinal, well aware of the king's avarice and Henry's temptations, kept vigilant watch,

¹ H., xvi. 619, 719, 990.

² Ibid., 832. On January 28, 1540, a payment was made by the cardinal to the nurses of the prince (*Rentale S. Andr.*).

and even dared to intercept letters addressed from England. His master showed no resentment when the letters were delivered, but passing to St Andrews held consultation with him and other councillors. The result of the interview was a serious resolution to prepare for war.¹ Early in July it was decided that Beaton should proceed to France for the purpose of obtaining aid against England, and the king, who was in search of benefices for two of his natural sons, desired his faithful minister to visit the papal court.² Rapid preparations were made for Beaton's departure. Commissaries were chosen to audit the accounts of St Andrews and Arbroath, and vicars - general were named. Powers of presentation and collation were granted to John Lauder, and he was authorised to make appointments in the consistorial courts and confirm *majora testamenta*.³

Sometime in May the cardinal crossed from Queensferry to Inverkeithing on his way to visit his mother who was seriously ill, and there is record of an order for special medicines for her. After her death, which took place in 1541, Beaton commissioned a Frenchman to prepare a memorial brass for her tomb and his father's in the Church of Markinch, and the chaplain was paid to celebrate

¹ H., xvi. 946.

² Ibid., 963, 964, 1112. F., 433.

³ A. D. C. S., F. 423, 426. Rentale S. Andr. Appendix XIII.

for the souls of the late archbishop's father and mother. Before his departure for France another domestic matter received the cardinal's attention. Precepts were signed for the expenses of two grand-nephews attending the school at Crail.¹ The account-book shows that on July 16 the cardinal granted a receipt for money for his play with the king at Dumfries and Crawford John, and on July 17 he reached Leith. Sixteen horses were presented to him, and these were shipped in the *Mary Welshinghame*. It is noted that he took with him tapestries in a canvas cover. A sum of 3000 crowns of gold of the sun was borrowed from the Treasurer, which on February 18, 1542, was repaid as £3300 Scots.

Beaton left Leith on July 21, 1541, sailing in the *Unicorn*, and carried letters to Paul III. and the Duke of Guise.² The Queen of Navarre was ready to receive him on his way to Rome, but at Lyons he informed Lord William Howard that he was doubtful if he would proceed to the papal city.³ Certainly he had no need to seek an opportunity to plead for his country, as the pope was alive to Henry's machinations. Paul III., how-

¹ Rentale S. Andr. Beaton's father died in November 1532 (A. D. C. S., Nov. 18).

² Rentale S. Andr., T. A., vii. 497; viii. 91. H., xvi. 994, 999. "The said Cardynale goeth in a shipe callede the *Marye Wyllbye*" (ibid., 990).

³ H., xvi. 1073, 1199.

ever, in view of Germany, would not alienate the emperor, and on account of the friendly relations between Charles and Henry would not incline to Francis. Germany was of more value than Scotland in the judgment of his Holiness. It was plain, therefore, to Beaton that no interview would affect the papal policy; and, further, he was not required to seek the pope on behalf of James, as on August 23 provisions were made for Whithorn and Melrose.¹ Yet France might aid Scotland in the quarrel with England, even though the pope would not intervene. The papal nuncio, discussing matters with Beaton, declared that Henry's position was unstable, and if he died there would be a reaction in England. Beaton, on the other hand, showed how Henry would form an alliance with the emperor, and might even return to obedience to Rome, if Charles sued for the hand of the Princess Mary of England. The nuncio was impressed, and described Beaton as speaking more like a cardinal than a partisan of Scotland and France.²

Though his ablest counsellor was not by his side, James did not break off correspondence with Henry, who continued to press the question of the refugee churchmen. The proposal for a meeting, which had been made in former years, was renewed; and Henry desired to take advantage of

¹ H., xvi. 1112; cf. Appendix XIV.

² Ibid., 1138.

the cardinal's absence in France.¹ He went so far as to say to the French Ambassador that the Scottish prelates feared that James would imitate England in suppressing the religious houses, and that the cardinal, seeing the storm imminent, had withdrawn to France.² He did not know, however, that Beaton, alive to danger, had obtained a promise from James that he would not enter England until France had replied to the Scottish overtures.³ For some reason James agreed to meet Henry at York in September, but failed to keep the engagement.

The conduct of the king seems to have been dominated partly by considerations of finance. The prelates had granted a contribution of £5000, which was to be paid by August 1; but, if the diocese of St Andrews may be taken to indicate the general feeling, there was reluctance and delay.⁴ It was Beaton's diplomatic duty to represent the royal wishes and secure, if possible, the sanction of papal authority for a fresh recourse to ecclesiastical wealth. James sought, in fact, to enrich himself by playing upon the fears of the churchmen and the papacy, while they, on their part, naturally desired a tangible return for their money in pronounced hostility towards England. That the cardinal had a

¹ H., xvi. 1138.

³ Ibid., 1143.

² Ibid., 1130.

⁴ Appendix XV.

delicate situation to handle is evident from the tone of his communications to James on the subject of the tax.

Francis, when he heard of the proposed meeting of the two kings, sent for Beaton and was assured that it would not take place. The cardinal asserted that had James intended to visit England he would have sent an intimation to the French Court, and he professed to have word from his master that he would not go to York. Satisfied with the answer, Francis instructed him to send thanks to James for deciding not to meet Henry, and Beaton, when intimating the royal message, reported that there was an appearance of trouble between France and England. At the appointed time Henry proceeded to York, though he probably knew that he would not see his nephew; but he kept his engagement and did not smother his wrath.¹

The mission to France, though mainly political, enabled Beaton to attend to the king's private business. In a despatch from Dijon, dated October 25, 1541, he announced that the queen's pension was ready to be paid at Paris, that 5000 francs had been sent to the papal treasury from the "county of Gyen" for the expenses of Melrose, while another sum of 4000 francs had been obtained from the same source. He

¹ H., xvi. 1178, 1181-3.

was able to make known a decision by which Scotland was to be exempted from a tax imposed on merchants, but had to tell that there was no definite reply from Rome regarding the contribution.¹ Writing from Paris on November 26, he showed that a Frenchman was to be "hastily dispatched" to spy how things stood touching English fortifications on the Borders; and shortly afterwards he conveyed to Christian of Denmark the goodwill of his royal master, and expressed his own satisfaction with the alliance concluded between Christian and Francis.²

The policy of Beaton at this juncture was clearly dictated by the international situation. A Catholic league, with the pope, the emperor, and the kings of France and Scotland as members, was impossible, as Charles and Francis were rivals. There might be an alliance, however, between Francis and Henry, and Scotland might be left to her own devices; but, on the other hand, if the English king united with the emperor he would be free to make war on Scotland. In the judgment of the Scottish statesman, therefore, it was of the greatest importance that terms should be arranged between England and France; but Charles did not approve, and endeavoured to prevent the alliance. Accordingly certain Scottish

¹ H., xvi. 1288.

² Ibid., 1378, 1446.

ambassadors who were in London had to act with caution; and in order to allay suspicion avoided the French envoy and corresponded with Francis through Beaton. It suited Francis, of course, to oppose the emperor, and at Beaton's instigation he empowered his representative in England to arrange a meeting of the three sovereigns. Unfortunately for the success of the scheme Henry desired a settlement with Scotland on his own terms, and continued to press for the return of the refugee churchmen. He was willing to meet Francis, but did not forget the failure of James to keep the engagement at York, and would not have him at the interview. Apart from his annoyance over his nephew's conduct, his resentment against Scotland was a permanent passion, which no alliance with France could remove, and after reporting their failure to Beaton the ambassadors returned to Scotland.¹

Meanwhile Pope Paul III. had summoned Beaton to Rome; but in the middle of February 1542 James asked that the summons should be recalled, alleging that he could not spare the cardinal.² Beaton, however, did not return immediately to Scotland, and towards the end of March appeared at the French Court.³

¹ H., xvii. 34, 51, 61, 84, 88, 92, 100.

² Ibid., 110.

³ Ibid., 232.

It is evident that Beaton did not desire to go to Rome, and therefore his master intervened. Paul III. may have been anxious to learn the state of ecclesiastical Scotland, but, more probably, he may have thought to use Beaton to prevent a struggle between Francis and Charles, knowing that the emperor would resent any alliance between France and England, and that in a conflict Rome might suffer. Beaton, on the other hand, was eager for the alliance, and preferring his own policy to the pope's determined not to see Rome.

Henry would not have objected to a renewal of the strife between Charles and Francis, as it would have left him free to deal with Scotland, and equally he felt himself secure against France so long as he had the emperor on his side. With blatant indiscretion he favoured a plot for kidnapping his nephew, though fortunately his Council did not approve, and a French intervention on behalf of the outraged Scots was not demanded.¹ His plans for an ecclesiastical revolution in Scotland had been thwarted, and his proposals for a meeting with his nephew rejected. In spite of Beaton, therefore, a treaty between France and England could have secured no advantage for Scotland. Yet the failure of his scheme did not incline the cardinal to

¹ H., xvii. 219.

thoughts of peace, and he continued in France, a suppliant for help against the man who was the enemy of James, the rival of Francis, and the disobedient son of Pope Paul. Munitions of war were despatched to Scotland.¹ Yet Henry was not alarmed, especially as the emperor was eager for his support. His Council, too, in the interests of Charles, dissuaded him from agreeing to a marriage between his daughter Mary and the Duke of Orleans.²

In May Beaton sent "ane stand of harnes" as a gift to James;³ but this courtesy did not prevent proceedings in the Court of Session over the lands of Baky which had been granted to the cardinal's son David. These lands had been annexed to the Crown by the Act of Revocation of December 1540, and the charters of March 1539 and February 1540 were annulled on the ground that the narrative was false and that the transaction involved a diminution of the royal rental.⁴

While the cardinal still lingered in France, the preparations for war were continued in Scotland; and so closely united were the interests of the two countries that Francis counted on Scottish help if he attacked the emperor. Rumours of war were rife, and Paget,

¹ R. M. S., iii. 2652.

² H., xvii. 124, 291, 293, 324.

³ T. A., viii. 128.

⁴ A. D. C. S. (May 20).

the English ambassador to the French Court, reported a conversation at a dinner where Beaton was one of the guests. The Cardinal du Bellay was careful to point out the danger to England, if Henry joined the emperor, and spoke of the French sending Scots, Danes, and Swedes to eat up all the Englishmen in four days. Paget calmly replied that Englishmen were not easy morsels to swallow.¹ Francis was eager to secure England's neutrality, if an alliance was impossible, both for his own sake in a war with the emperor and also for Scotland's security; but Beaton began to see that there was little hope of that security, even if Francis and Henry came to terms against the emperor. In any case, the political unrest of his own country, the alienation of some of the great nobles from the king, and the spread of Protestant opinion might well induce him to believe that a war with England would be preferable to a peace which might be rudely broken while France was pursuing her own policies, or which might give Henry opportunity to foment disturbances.

France could not or would not join Scotland in attacking England, and Beaton had no reason for postponing his return. The English suspicions, however, were not allayed, and on

¹ H., xvii. 415, 470, 479.

July 31, 1542, Paget intimated to Henry that ships were prepared at Dieppe for the Scottish cardinal, who had engaged in long and earnest conferences with the French king and the admiral. Beaton reached Leith on August 3, and, whatever may have been the subject of the conferences, he was not the bearer of comforting assurances to his king.¹

Before leaving for Scotland, the cardinal received David and James Beaton, two of his kinsmen, who had been sent to France to be educated. It appears that his chamberlain had paid a sum for their expenses and provided them with clothing for the voyage.² During the cardinal's stay in France, his castle of St Andrews was used as a ward for certain prisoners. William an Englishman, two prebendaries of Dunglas, Sir John Wygtoun, *curatus* of Ballumby, three witches, and a condemned thief were detained.³ John Major, Provost of St Salvator's, Peter Chaplain and Martin Balfour, canons of the college, and also John Wynram

¹ H., xvii. 554. *Rentale S. Andr.* On Aug. 4, Beaton was rowed ashore for letters and returned to the ship (*Rentale*). On Aug. 16 he was an auditor of accounts (*T. A.*, viii. 1). On the 24th he was at Burntisland and from that day to the 28th was at St Andrews.

² *Rentale S. Andr.* The Cardinal paid for board and clothes of George, son of John Beaton, younger of Balfour, who attended school at Crail, also board for John the eldest son (*ibid.*).

³ *Ibid.*

were appointed by Beaton to try the witches, and after sentence these women were executed.¹

Henry learned from a letter dated August 14 that Beaton was in Scotland; and while he may have been gratified that the diplomatist had left France, he could not have been pleased that the statesman was once more in his own country.² In spite of his preparations James did not desire war, and the cardinal saw that Scotland could not invade England with hope of victory. Henry, however, was not eager for peace in the time of Scotland's weakness, and early in August a Scottish ambassador was prevented for days from talking with Henry, and his servant on some pretext was imprisoned. The ambassador, when he did obtain an interview, was reproached on account of the league with France, Sweden, and Denmark, and was told that the "traitor Cardinal of St Andrews" was responsible for the league and for James's failure to keep the appointment at York.³ In September Sir Robert Bowes, the Earl of Angus, and Sir George Douglas, passed into Teviotdale with a force of 3000 men, and at Haddenrig were defeated by the Scots under Huntly.⁴

¹ F., 475. Appendix XVI.

² H., xvii. 622.

³ Ibid., 601. On September 2 James desired Henry not to be misled by rumours that the return of Beaton had produced a hostile attitude (State Papers, Reg. Ho.).

⁴ Ibid., 662, 673, 732.

Haddenrig was at most a serious Border feud, but the defeat of the Englishmen served to increase the irritation of their angry king. Bowes and Lessellis, another English knight, were taken and were warded in St Andrews Castle on October 24, where they remained till the end of January of the following year.

In view of the approaching conflict Henry had decided to cut off the Scotsmen betimes from all possibility of French succour, and hamper the aggressive movements upon which the cardinal was bent. He commissioned a fleet of thirty-four ships with an invading force to hover in the Firth of Forth. Beaton, who was aware of the plan, hastened to fortify his castle, and appointed John Beaton, younger of Balfour, to be captain; but he did not cease to prepare for a march to the south. Orders were given for two tents and eight painted "thanis": ensigns of red, white, and yellow taffeta were procured; and the martial determination of the churchman was evinced when two swords were brought from the armoury and polished for his use. Shortly after his return from France, Beaton paid his share of £5000 promised by the clergy for the defence of the realm, and on September 23 he hastened to offer a fresh contribution. In 1542, it appears, the spiritual estate had undertaken to

raise £10,000, in the hope or the belief that there would be war.¹

After Haddenrig James still showed himself willing to negotiate regarding the Border disturbances, and, when a safe conduct had been granted, his commissioners proceeded to York. Henry's representatives were ready with accusations and threats. James had broken his engagement with Henry, and, if he did not arrange another meeting and give hostages for his appearance, the military preparations would not be deferred. Already ships were on the watch to intercept French succours, and it had been decided to send Norfolk to Scotland with an invading army. The Scottish commissioners were in a serious difficulty, as they believed that James would consent to enter England, and at the same time they knew that Argyle, Huntly, and Arran would not offer themselves as his hostages. They swore "blood, wounds, nails, body and passion of Christ, that they dissembled not"; and at last, after communications from Scotland, they suggested Newcastle or York as a place of meeting, and finally agreed to London. They were unfortunate, however, as the Scottish Council were divided, and James decided not to go beyond York. At a later time the English Council were convinced "by

¹ See *Rentale S. Andr.* for these and other details.

espials and the words of the late ambassadors of Scotland, the King of Scots would gladly have come to the king, but his lords would not suffer it, the principals being the cardinal and the Earls of Murray and Argyle." The negotiations at York between the Scottish and English representatives failed; and war was inevitable, though Henry was unwilling to be the first to declare it. His Council determined, however, that some notable exploit should "purge the dishonour which the Scots bruit that Bowes and his men, being far greater in number, durst not abide to encounter the Scots."¹

Henry had a double interest in the war. The imperial ambassador was pressing for union against France, and it was convenient to reply that the affairs of Scotland prevented co-operation. Further, Henry desired and gave orders that the Scots should be so handled that he might be free of them in the event of his undertaking another enterprise.² In place of a declaration of war a manifesto, prepared by the Archbishop of York and the Bishop of Durham, was published as an apology for Henry's action. The manifesto wandered back into the region of fable. Brutus had three sons: one ruled in Scotland and one in Wales, and these acknowledged the

¹ H., xvii. 654, 661, 674, 720, 807, 823, 853, 906, 913, 925, 1025.

² Ibid., 799.

over-lordship of Lochrine of England. Instances were cited from fiction or history of kings of Scotland paying homage to England, and among them was the case of James I. admitting the authority of Henry VI. The reasons for the war were declared to be the harbouring of English criminals by the Scots, the invasion of English territory during negotiations for peace, the refusal to yield lands to which Henry had proved his title, and the failure of James to keep the appointment at York.¹

Norfolk entered Scotland and destroyed Kelso, Roxburgh, and some villages, but his journey was not a triumph. There was no effective co-operation by the fleet in the Forth; his supplies were scanty; and after the short campaign of destruction he returned to England. James had collected an army on Fala Moor, and hearing of Norfolk's retreat would have crossed the Border. His nobles, however, would not follow him, and though he charged them with being faint-hearted, they would not pass beyond Scottish ground.² The quarrel was not theirs, and they were jealous of the churchmen. Accordingly the army was disbanded, and James was left with his clerical counsellors, who were not slow to urge a raid on England. Knox asserts that they delivered to the king "ane scroll,

¹ H., xvii. 898. Hall's Chronicle.

² H., xvii. 1117.

conteanyng the names of such as thei, in thare inquisitioun, had convict for Heretickis." Another army was collected, and it was arranged that Arran and Beaton should make a demonstration on the eastern Border, while the serious attack should be directed on the western. Yet James, by one of the English reports, would have agreed to any reasonable thing to obtain peace, if it had not been for the cardinal and certain bishops.¹

In the midst of the preparations for war the Scottish king wrote to Paul III.; and, after telling the story of the English attacks, declared that Henry was angry because Scotland would not desert the Holy See and unite with him against France. He besought the pope to influence the Christian princes, as there was danger that the fire, if neglected, would shortly pervade all Christendom. Beaton, too, addressed the pope and confirmed the king's statements.² At the same time he did not forget that France might help, and Crichton of Brunston was commissioned to find out what aid might be obtained.³ Serious though the situation was, the king went off beyond the Forth on a hawking exploit, and the Somerset herald and Berwick pursuivant, bearing a letter to James, were received by the

¹ Hamilton Papers, i. lxxiii. ² H., xvii. 1060. Theiner, 613.

³ H., xvii. 1100.

cardinal and other councillors.¹ Brunston had been deputed to proceed to France, but before a reply could be given the Scots, to their disgrace, were routed at Solway Moss. James had not joined the army, and when the fatal news of the disaster was carried to him at Lochmaben, he set forth in haste for Edinburgh and speedily found his way to Falkland, though Beaton and Moray were awaiting him at Haddington. The cardinal, according to one story, was prepared by papal authority to enter England and place it under interdict, and, according to another, was about to proceed to France or Rome, as James was incensed with him on account of the army.²

Shortly after Solway Moss the Somerset herald was murdered by two of the Englishmen who had found a refuge in Scotland, and England had a just cause of complaint. James at once announced that he had apprehended the criminals, though he did not say that he had delivered them to Beaton. The cardinal sent them to St Andrews, and his enemies were not slow to suggest that the murder had taken place by his sufferance. It was necessary, apparently, that he should defend his honour, and he declared

¹ H., xvii. 1110.

² Ibid., 1124, 1136, 1157, 1199. *Rentale S. Andr.* At Fulden the cardinal gave alms to a poor man named Beaton (*Rentale S. Andr.*).

that "it was pity he should live, if he consented to such a deed." He could not have committed the constitutional blunder of seeking the life of a herald, and could not have deemed the murder to be of any advantage to Scotland. Yet one of the prisoners confessed under examination at Alnwick that he and his associate had been moved by the cardinal's words. Beaton had pointed out that the two men, having been succoured in Scotland for a long time, should do some service; and, when they asked how they should act, he replied, "that he had authority from the Holy Father the pope to interdict the realm of England, and that the same should be published within certain churches in England ere it was long." There was no suggestion of murder in Beaton's words; but the men declared that being kept in poverty they had thought some cruel deed was expected of them and so had concluded the slaughter. Neither the moral character nor the common-sense of the cardinal was impugned by such evidence.¹

Brunston returned from France bringing little comfort, "which myche pallyth the Scottes," and, divided as they were, they could not renew the war.² Few of the Scots had perished, and yet the English had won a decisive victory and naturally looked for spoils. Lord Lisle advised

¹ H., xvii. 1151; H., xviii. i. 26.

² H., xvii. 1193.

Henry to seize the Scottish territory to the Clyde and the Forth, which would be "an acceptable deed before God, considering how brutally and beastly the people now be governed," and intimated that there was in London a Scottish doctor of Civil Law, banished by the cardinal, who would draw a map of the territory.¹ The occupation of the southern part of Scotland was an easier task for contemplation than for accomplishment; but Henry was not required to give it serious consideration, as the political situation was changed on December 14 by the death of the Scottish king.

Before he died James learned that the queen had borne a daughter, but the announcement came too late to restore his peace of mind, which had been hurt by the death of his sons, injured by the conduct of the nobles at Fala Moor, and destroyed by the defeat at Solway Moss. The cardinal, more than any of the councillors, was responsible for the policy which had brought about the war and the disaster to the Scottish arms, but he was the last man who could be blamed for the desertion of the king's cause by the nobles who had calmly permitted that disaster.² The Venetian Ambassador, in one of his despatches, declared that he had been told under pledge of great secrecy that Lord

¹ H., xvii. 1194.

² Cf. *ibid.*, 1157, 1199.

Maxwell, "being a Lutheran and disagreeing with Cardinal Beaton who for many years had ruled the king and realm of Scotland," caused the rout of the Scots; and the statement shows that there were rumours of treachery, and that it was not the churchmen who were false to their king.¹

Beaton was at St Andrews for two days "at the time of the king's death"; but the crisis demanded his presence in Edinburgh, and he hastened thither. Amid diplomacy and intrigue the preparations were made for the last rites at Holyrood. We read that the cardinal purchased a book of occasional offices and ordered the *mitra simplex* of white damask suitable to an occasion of mourning.²

¹ H., xvii. 1207.

² *Rentale S. Andr.* : on December 29 he made a payment to a nurse of the queen, who was at Linlithgow.

1543.

It is related by Knox that when the king was on his deathbed at Falkland the cardinal cried in his ear, "Tak ordour, schir, with your realme : who shall rewill during the minoritie of your dowghter ? Ye have knawin my service : What will ye have done ? Shall thare nott be four Regentes chosyn, and shall nott I be principall of thame ?" Documents were taken that things might be as Beaton thought expedient, and Knox proceeds to say that, "as many affirme, a dead manes hand was maid to subscribe ane blank, that thei mycht wryte above it what pleased thame best." A story was circulated, then or at a later time, that James died of poison at the hands of Beaton ; and Knox narrates that the cardinal hastened from the king's death-chamber to the presence of the widow, and does not hesitate to suggest a scandalous relationship.¹

Sir George Douglas, a brother of the Earl of Angus, writing from Berwick on December 17,

¹ Hamilton Papers, i. 68, 261, 267 ; ii. 55. Lesley's History, p. 166.

1542, announced to Lord Lisle, the English Warden of the Border, that the nobles assembled in Edinburgh were about to choose Arran, Moray, Huntly, and Argyle as governors, and appoint the cardinal as "governor of the princess and chief ruler of the Council."¹ He stated that James had left no will, and apparently was ignorant of the story of the cardinal approaching the dying king.² A few days later Lisle informed Henry that Beaton was present when proclamation was made requiring obedience to the regents, who were stating that James had willed that the government should be in their hands and that the Douglasses should be restored.³

Beaton was recognised as chief among the rulers, but his precedence, even as their ascendancy, was limited to days. The heir to the crown, after the infant queen, was Arran, and he was not content to be second to a priest. He was young, the inheritor of a noble name, the possessor of wide lands; and with a pride natural to his high rank desired to be accounted the first man in the realm. Yet he was not suited by experience or wisdom to govern, and some said that he was half-witted.⁴ It is narrated that shortly after the elevation of the governors he quarrelled with

¹ Arran's name does not occur in Balfour's Notarial Instrument (*infra*). Knox omits it, but Buchanan includes it in the list. Cf. Hamilton Papers, i. 261, 263.

² H., xvii. 1214.

³ Ibid., 1225, 1233.

⁴ Ibid., 1241.

the cardinal, calling him "false churle" and drawing his sword on him. He did no murder, however, but in his evil temper sent word to Lisle that Beaton, in whose arms the king died, had told the Council many things; and he added that he himself thought these things were all lies.¹

The rule of Beaton and the governors was not acceptable to many of the nobles, who did not forget that the Scottish disaster and the English triumph before the death of James were due to the policy of the churchman. Accordingly on January 1, 1543, "a great assembly of all the lords and states of Scotland" met at Edinburgh, and two days later Arran was proclaimed Protector and Governor.² It may be that the alleged desire of the late king was disregarded, but there is no evidence to show that any intimation of his wishes was made to the great assembly. Thus was the cardinal cast down from his high position and compelled to yield to Arran. Their quarrel, however, was soon of the past, as on January 10 the chancellorship was taken from the Archbishop of Glasgow and given to Beaton.³ The story is probably true that he agreed that Arran's son

¹ H., xvii. 1249. *He* from the context might be Arran's messenger and not Arran himself.

² Hamilton Papers, i. 273. Cf. Hay Fleming's 'Mary Queen of Scots,' 180.

³ R. P. S. On January 15 the cardinal sat as chancellor and the archbishop was with him (Acts and Decrees).

should eventually marry the young queen, since, if he was not honest in the contract, he was wise enough to see that many things would happen before the queen's wedding-day.¹

While there is no record to prove that at Arran's elevation a charge of forgery was brought against Beaton, it appears that his statements were challenged. Writing to Henry on January 5, Lisle repeated the words of Archibald Douglas. "And communying with hym who ruleth yn Skotland he said that the king lieng sicke, and having no perfyttre reason after he was ons layed in his bedde, the Cardynall asked hym many questyons of the governaunce of his realme, if God did call hym to his marcie, whather he wold have therles of Arran, Murray, Argill and Huntley to rule the realme for his doughter. Wherunto (he said) the kinge made no answeare, albeit the Cardynall reported otherwise."²

Henry did not attempt, though victorious at Solway Moss, to occupy Scotland or any part of it; but the death of James quickened his purpose to reduce the country to his authority. That purpose, clearly defined after Flodden, had been withstood by Archbishop James Beaton. Once more, however, Scotland was to be governed in the name of a child, and in Henry's judgment a golden opportunity had arrived. Thenceforth

¹ H., xviii. i. 4, 13.

² Hamilton Papers, i. 272.

a policy of subjection was pursued with the persistence of a tyrant and by the diverse methods of secret corruption and open warfare; but the policy came to nought, as the attacks on the independence of Scotland were frustrated by the astute cardinal, who had successfully warned his king against the temptations of a worldly reformer of the Church.

Certain Scotsmen, Henry's prisoners and pensioners, were in England, and he determined to use them.¹ Accordingly on December 29, 1542, intimation was made to the Scottish Council that, subject to assurances and hostages, the Earls of Cassillis and Glencairn and other prisoners, among whom were the Lords Maxwell, Fleming, Somerville, and Gray, were to be permitted to return to their own country.² Conditions were imposed which these Scotsmen deigned to accept. They pledged themselves to secure the deliverance of the young queen to Henry, under the arrangement or pretext that she was to be affianced to his son, and agreed that certain castles and fortresses should be handed over to him, and the country governed in his name. Further, they undertook to send the cardinal to England and also the Governor, if he would

¹ State Papers (Henry VIII.), v. 409. H., xviii. i. 26. Cf. H., xviii. i. 482.

² Hamilton Papers, i. 266, 276.

not side with them. But Henry was not satisfied with these extravagant pledges, and by persuasion or coercion ten of the prisoners signed a secret bond, committing them, in the event of the young queen's death, to assist Henry to take the crown and government of Scotland. A similar bond was subscribed by Angus. While Arran was to be despatched to England as a prisoner, if he would not sacrifice his country's liberty, he was to be assured, on the other hand, that if he showed friendliness to England the king would make him and his supporters "so honourable a party both by pension and other reasonable means of advancement as they would never obtain the like, all things considered, at any hand in Christendom."¹

These ten men, and Angus with them, were ready to give their country to the king who for a generation had plotted through one intrigue after another to make himself the overlord of Scotland. In contrast stood Beaton who, even though the interests of the Church were his chief concern, never from the first day to the last of his public life dealt treacherously with the independence of the realm. Soon after the preparation of the secret bond Henry recognised that his plans were in a desperate plight, since his prisoners could not fulfil their pledges, and

¹ Hamilton Papers, i. 275-277.

accordingly he proposed to send an army to their aid. He was to learn, however, that an invasion would rouse the Scots against the traitors and that no faction would dare to stand by him and call him lord. Yet he heard that the cardinal was riding daily to the Governor's palace, and that the cardinal and Sir George Douglas had met and embraced.¹ No sudden revolution could make Henry the master and ruler of Scotland, but, in spite of rumours and stories, his cause was not lost. Sir George Douglas, the cleverest and most unreliable of Henry's partisans, was permitted to enter Scotland under a safe-conduct, and at once set himself to get Arran into his toils, who, weak and vain, was eager to be rid of the domination of the cardinal. Arran was in a difficulty when Douglas presented himself at the Court. He had received a communication from Lisle, by the hands of the Berwick Pursuivant, and he confessed that by mistake he had handed the important document to Beaton. The cardinal "something abashed" had said "this letter speaketh of a special message touching myself," and had desired to know what was meant. Arran admitted that he had "overshot himself," and Douglas advised him to hand the letter to the cardinal and leave him to prepare the answer.²

¹ H., xviii. i. 19, 26, 59.

² Ibid., 64.

Shortly after the incident of the letter Douglas was received by the Scottish Council. The cardinal urged that the Douglasses, so long nourished in England, would never be profitable to Scotland, and proposed that the question of their return should be thoroughly debated, and if, after full consideration, it was found that they would come for the wealth and defence of the country, they should be sworn to the same. Argyle, Moray, Huntly, and the bishops agreed with him, but Arran persuaded the Council to admit the Douglasses. The decision was momentous for Scotland and significant for the cardinal. Angus and Douglas, incensed against the country from which they had been driven into exile, were prepared to sacrifice its liberties, and Douglas, unscrupulous and treacherous, was ready to match himself against Beaton as against a hated rival and bitter foe.

At the conclusion of the Council the cardinal desired to speak with Douglas apart. He asked him if he was a good Christian or if he was given to the new learning after the fashion of England. Douglas replied that he was baptised and, if not a good Christian, he prayed God to make him one; and he wished, he said, that Scotland was no worse Christian than England. Hearing this answer the cardinal gave a great sigh and desired him, though there had been in time past a grudge

between them, to forget all such matters. He stated that he had 20,000 crowns, which would be at Douglas's commandment; and "thus they departed great friends." The money was not a reward, as no services had been rendered, and must have been a bribe to induce Douglas to the side of the cardinal. Yet, when the interview was concluded, Beaton went straight to Arran to set him against Douglas. It was Arran, however, who told the story to Douglas, and he declared that the cardinal, "the falsest karl in the world," had advised him to divorce his wife and marry the queen dowager. He added that as soon as Angus returned they would lay hands upon the cardinal and send him to England, if the king would have him. Douglas was annoyed with Angus for signing the articles accepted by the English prisoners, and said that "his brother was but a beast and had no wit to serve when time did proffer." He declared to Lisle, however, that if the matter to which Angus had agreed did not impede his credit with Arran they would "have the cardinal by the back within this ten or twelve days."¹ Arran, though he fancied himself a strong man, was unstable as water; and the English Council very cunningly instructed Lisle to advise him that the Duke of Guise was "coming thither, by mean of

¹ H., xviii. i. 64; see Appendix XVII. for a charter granted to Argyle about this time.

the cardinal, to get the government, child, and holds of Scotland into his hands." The English Council heard, on the other hand, that the cardinal was meditating a flight to France.¹

On January 25 Angus and the "prisoners of Scotland" were received by Arran at the Court. Douglas was already in favour with the Governor, who declared to him that "if sure of quietness with the king" he would seize the cardinal and reform the Church as Henry had reformed England. Events moved quickly, and on the 28th Lisle reported that Angus and Douglas were ruling the Governor and that the cardinal had been apprehended. He was persuaded that "the news of the Duke of Guise's coming had pricked this matter forward." Beaton was seized while sitting at Council in the Governor's chamber at Holyrood: instantly there was a stir in the palace, and the queen dowager shrieked when she heard the noise. Angus hastened to her lodging and showed her "that it was but a false trumping carle that should answer to certain points that he had played." A priest was seen trudging out of the gate as fast as he could, bearing the cardinal's cross under his arm; and the comment of Angus on the faithful cleric's act was that the cardinal "shall pay better than his cross ere he have done." The cardinal himself was sent to

¹ H., xviii. i. 57, 80.

the Earl of Morton's house at Dalkeith, to be surely kept.¹

Beaton was a prisoner, but what was to be done with him? No definite charge was preferred against him. It was not alleged that he had produced false evidence when he was proclaimed one of the governors of the realm, and in the temper of Scotland it could not be openly said that he was seized for the gratification of the King of England. It is evident, however, that he was apprehended in order that he might be sent to England, since Douglas, not wholly destitute of prudence, was forced to admit in reply to Lisle that if Angus and he delivered him to Henry they would be "mistrusted to be of England's party."² Arran had made himself the servant of Angus, and the wretched man was soon to learn that he had blundered in his cowardly weakness. To pacify the ecclesiastics he proclaimed that the cardinal had been seized for treason, "and not for taking away of any service of the Church"; but he had dared to lay his hands on a prince of the Church, and the deed was speedily avenged. No priest would say mass or baptise or bury, and the country suffered the spiritual ills of an interdict. There

¹ H., xviii. i. 80, 81, 88.

² Ibid., 104. Douglas "help the Cardinal into prison" (H., xviii. ii. 450).

were men, too, apart from the clerics, who cried out against the arrest; and Huntly, Moray, and Bothwell offered to be sureties for the cardinal, and threatened that if he was not set free they would "make a worse reckoning." The Spanish ambassador to England, who gathered political gossip, wrote on February 12 to the Queen of Hungary that the cardinal had been imprisoned "for his too great intelligence with the French," and for procuring to bring Guise to Scotland. He added that Moray and the other two noblemen "named (according to the cardinal's statement) in the king's will, hold still for that prelate."¹

Arran, though he had seized the cardinal in a wanton display of authority or with intent to secure the favour of Henry, was impotent to control the issues; and accordingly a Parliament was summoned to deal with the case of Beaton and secure the formal restoration of the Douglasses. He had not with him, however, a compact body of subservient nobles. Argyle, Moray, and Huntly let it be known that they would attend "strong," and Bothwell separated from Angus, as no man was so offended as he at the taking of the cardinal.² The English, too, did not trust

¹ H., xviii. i. 105, 124. Spanish State Papers, vi. ii. 100. Cf. Robertson's *Statuta*, i. 142, note.

² H., xviii. i. 104, 124.

Arran, and they set a spy to watch if Frenchmen and servants of the cardinal frequented his house. The cardinal had been taken, but Henry had not secured him. Accordingly Lisle proposed that he should be sent to Tantallon, which Angus held, and then to Berwick. He even suggested that some learned man "addict to the truth" should be made commissary of St Andrews, with a promise of succession to the archbishopric.¹ Arran replied that the prisoner would be surely kept; though he did not confess, as he might have done, that Bothwell openly visited the cardinal and that "the ignorant people grudged at the imprisonment." He did say, however, as if to check the demand for the dispatch of the cardinal to England, that the apprehension had been for high treasons well known to the Council.²

The "English lords" had not fulfilled their pledges when Henry, in the middle of March, impatient that the few weeks had not witnessed a revolution, commissioned Sadler "to go in post to Edinburgh." Formal instructions were delivered to him, and he was to discover why the queen had not been sent to England, the castles had not been given into the king's hands, and Erskine, who had been removed from the secretaryship and had alleged that he knew

¹ H., xviii. i. 156, 157.

² Ibid., 161, 174.

things against the cardinal, had not been forced to declare them.¹

The Parliament assembled on March 13, and among those representing the clerical estate was the Archbishop of Glasgow, who had been restored to the chancellorship. Before the opening of the Parliament Huntly, Argyle, Moray, Bothwell, with a great number of bishops, abbots, barons, and knights, convened at Perth and sent representatives to the Governor to demand among other things the liberation of the cardinal. The Governor replied that he would not grant their unreasonable desires, and charged them on pain of treason to attend the Parliament and serve the commonwealth. The Parliament duly recognised Arran as Governor and as heir to the crown, and decided that, while the queen was not to be removed to England, a marriage between her and Henry's son should be arranged. The Douglasses were formally restored, but no action was taken in regard to Beaton. The Governor was asked, however, by a petition emanating from the clergy and the commonalty, to release him, unless he could be proved guilty of treason. A charge of treason would have been difficult to frame, and the evidence at a trial might have shown the accused as a patriot rather than a rebel. In any case, many of the

¹ H., xviii. i. 270, 271.

Scots trusted him, and Arran and Angus dared not exasperate them by sending him to England. Beaton had been seized immediately after the return of the Douglasses and the "English prisoners," and the apprehension had been made, most probably, in order that Henry might have his enemy in his keeping. The talk of treason had followed, but not even the most corrupted pensioner of the English king could argue that a Scotsman convicted of treason should be handed over on any pretence to that sovereign.¹

Douglas found it necessary to offer explanations for the action or inaction of the Parliament. He assured Sadler that the nobles would not agree to have their mistress out of Scotland; and while claiming that it was he who had moved the Governor to put down the cardinal, he declared that were an attempt made to depose the Governor and reduce Scotland to obedience to England "there is not so little a boy but he will hurl stones against it, the wives will come out with their distaffs, and the commons universally will rather die in it." He added that the nobles and clergy would be against the attempt, the cardinal, who had "been much sued for," would be set at liberty, ambassadors would be sent to France, and the French army accepted. Arran, too, had a conversation with Sadler. For

¹ A. P. H., xviii. i. 285, 286, 305.

some reason he professed to be afraid that Henry would work for the cardinal's release, and the Englishman seizing the opportunity pointed out that "if delivered the cardinal would be Governor himself and ruin the realm, for he was more French than Scottish." "By God," cried the Governor, "he shall never come out of prison whiles I live, except it be to his further mischief." Sadler, amply satisfied with the effect of his insinuations, said that it were pity but the cardinal received the reward he merited.¹

The English commissioner passed from the Governor to the queen dowager. Mary professed to be agreeable to the proposed marriage and also to the delivery of her daughter to England, and in confidence related how Arran desired the young queen to be retained in Scotland till of marriageable age, in the hope that Henry would then be dead. She declared that his real motive was to marry her to his own son, and suggested that Henry should insist on the immediate custody of the child, and that "the cardinal if set at liberty might do much good in the same." Sadler, however, did not agree with her regarding the release, and she replied that "the cardinal was a wise man and could better consider the benefit of the realm than all the rest." She explained that she would publicly

¹ H., xviii, i. 305.

oppose the marriage, which she really favoured, in order that the Governor might reveal his intentions.¹ It is possible that Sadler was not deceived, though there is no hint in his letters that he did not trust her. Yet it seems that her purpose was to disparage Arran and to secure the freedom of the cardinal. As a Frenchwoman and a Scottish queen she had no wish to serve the King of England.

Though Sadler would not consent to the release, the removal of the cardinal to the castle of St Andrews had actually taken place before the interview with the queen dowager. Beaton was seized at Holyrood on January 27, and Sir John Symson, one of his household, set out in haste for St Andrews to warn the captain that he should keep careful guard over the castle. Next day the prisoner was consigned to Dalkeith. Throughout the greater part of February he remained at Seton, where he was permitted to enjoy the services of his chief cook, and towards the close of the month was transferred to Blackness, from which he passed to St Andrews a few days before Easter.² From Beaton's own account it appears that on the fifth day after his committal he gave Douglas 400 crowns, and was removed to the keeping of Lord Seton. At a

¹ H., xviii. i. 313.

² *Rentale S. Andr.* : Easter fell on March 25.

later stage Douglas and Seton, who were cousins, secured his approval of certain marriage arrangements, and agreed in consequence that, on the bond of four lords and a promise not to leave his castle without Arran's consent, he should pass to St Andrews. Shortly after his arrival at St Andrews, where he spent Easter, he was visited by Douglas and the laird of Grange, who freed him from his bond; and as he marvelled he was informed by Douglas that he would have him know "that it was none but he that loosed him."¹ Douglas, on the other hand, told Sadler a very different story. He explained that the Governor and he proposed to remove Beaton to St Andrews "by his own consent," that they might obtain the castle and thereafter send him to Tantallon or Dunbar, but "the cardinal was a wily carle and would not consent to the matter." Yet Beaton was transferred to his own castle, and by the cancelling of the bond secured his freedom. Sadler, hearing that the cardinal was at liberty, protested to Henry that if the story was true he would never trust either Douglas or the Governor.² The English Privy Council, ignorant of the facts, warned Sadler that the removal to St Andrews must be prevented, and that it would be better to

¹ H., xviii. ii. 181. *Rentale S. Andr.*

² H., xviii. i. 313.

convey Beaton nearer the Border, and finally place him in the king's hands.¹

Douglas and Arran had the wit of fools or the innocence of children if they thought the cardinal could be a prisoner in a castle which was his own and held by his own men. But as Douglas was neither silly nor simple, the 400 crowns accounted for him; and it may be conjectured that the threats of the Catholic lords or the persuasions of his brother, the Abbot of Paisley, moved Arran to consent to the release. Moreover Arran knew that Lennox, who was returning to Scotland, might be recognised as heir to the crown, since his own legitimacy of birth was questioned. He protested to Sadler, however, that the castle of St Andrews was a sure prison, and, referring to his name as first on the list presented to the late king, declared that the cardinal would willingly send him to the fire as a heretic.²

On March 31 Sadler had a strange story to tell. The cardinal sent word that he would gladly welcome him and offer his lawful service to Henry. Thereupon the Englishman called Douglas to council, and he "seeming to be in a great heat" accused the Governor of being the most wavering person in the world, and

¹ H., xviii. i. 318.

² Ibid., 324.

Huntly, "the falsest and wiliest young man," of persuading the Governor to give the cardinal more liberty in his own castle than he had in Blackness. Regarding the removal to England, which Sadler advised, Arran would say nothing save that "the cardinal would liever go into hell." Whatever the cardinal's motives may have been, the sincerity of his offer of service to Henry was suspected; and no interview took place. Henry, however, did not condemn his commissioner for neglecting an opportunity, and was persuaded that the cardinal's liberation was due to the combination and conspiracy of Argyle, Huntly, Moray, Bothwell and divers bishops. He certainly had reason to believe that the accomplishment of his schemes would be fraught with difficulties.¹

Arran professed, according to Sadler's report of April 9, to be at his wits' end regarding the cardinal, and in his perplexity sent Douglas to St Andrews. Beaton received Douglas and informed him that though he was free he would stand his trial and serve the Governor in the affairs of the realm, adding that, while noted to be a good Frenchman, he was a true Scotsman and knew what benefit would ensue from the alliance of Scotland and England, whereto he would travail as much as any man in Scotland,

¹ H., xviii. i. 338, 348.

“saving the freedom and liberty of the same.” Beaton and Douglas were wily diplomatists, and each recognised that the other was not to be trusted, but it is difficult to understand why the cardinal feigned a friendship for the King of England, whom he hated. Certainly he never betrayed his country’s interest, and it may be that he hoped to deceive and thereby to conceal his purposes. Shortly after his confession to Douglas he again offered his services through Sadler, assuring him that he had not prevented the meeting of James with Henry. Stating that he knew not “in what case he stood, hearing that the cardinal was committed upon sundry great crimes,” Sadler replied that if he could lawfully treat with him he would use his advice.¹

Arran, as the evidence undoubtedly suggests, consented to the removal of the cardinal to St Andrews, and had not the courage to stand by his action. There is no word, in any case, of a protest against the removal or of an attempt to make the castle of St Andrews a prison. Henry had spoken of a marriage between his daughter Elizabeth and the Governor’s son. The honour was not despised, but the release of the cardinal might prove a stumbling-block. Lying with strong protestations, however, might remove difficulties; and Arran was skilful in the

¹ H., xviii. i. 391.

use of loud words. Accordingly he "sware many great oaths, as wounds and sides, that he was no more privy nor consenting to the letting of the cardinal at large than Sadler was, and laid his hand on his sword, wishing that the same might stick him to the heart, if he knew of it till he was at liberty." He explained that Lord Seton had been bound in life and inheritance for the cardinal, who was not to be removed from Blackness to St Andrews until Seton had obtained the castle of St Andrews, and the cardinal's folk were put out; and yet Seton, corrupted with money and other gifts, brought the cardinal into his strength, and had not twelve or sixteen men within the castle, whereas the cardinal had two hundred.¹ He added, "I have, by the advice of my Council, sent my brother, the Abbot of Paisley, unto him to look if he can induce him to bring him hither. And since he had his liberty he said that he would serve me, and that leaving utterly the cast of France he would be wholly given to the cast of England." Sadler questioned him regarding the seizure at Holyrood, and was told that the principal reason for it was Lisle's message regarding the arrival of Guise, though there were other matters. Thereupon Arran

¹ Beaton gave Seton a feu-farm of Kirkliston. Cf. *Rentale S. Andr. Introd.*

declared that the cardinal did counterfeit the late king's testament, "and when the king was even almost dead he took his hand in his and so caused him to subscribe a blank paper." He denied the truth of Lord Somerville's statement that Beaton had been pardoned for forging the testament.¹

Sadler's communication, dated April 12, which records the interview with the Governor, contains the first definite assertion that Arran charged Beaton with forgery, and the statement was made four months after the king's death. The story of the forgery, however, had been known to Chapuys, the Imperial Ambassador, as on March 17 he referred to the cardinal, "who is now kept under closer confinement than before, on the charge, as I have written in one of my despatches, of having forged a certain will under the name of the king, who died *ab intestato*."² Henry heard the story, and on April 25, without comment on the charge preferred against his enemy, instructed Sadler to say to Arran, "Can you think that you shall continue a Governor when the adverse party, that would have made themselves by a forged will regents with you, or rather excluded you, shall have authority?"³ A few years after Beaton's death Sir David

¹ H., xviii. i. 395.

² Spanish State Papers, vi. ii. 116.

³ H., xviii. i. 455.

Lyndsay, in one of his poems, represented the cardinal as saying, "Ane paper blank his grace I gart subscrivye"; and Knox, as has been noted, asserted that many affirmed that a dead man's hand was made to subscribe a blank. Buchanan stated very explicitly in his 'History' that Beaton hired a priest, Henry Balfour, to forge the king's will, and in his "Admonition to the Trew Lordis" that Beaton obtained his authority by "ane false instrument." Even Bishop Lesley, a staunch Catholic, when speaking of the elevation of Arran to the governorship, declared that "the cardinall of St Androis and sum utheris wuld have made sum impediment, allegeing that the king be his testament nominat four regentis; bot the same on no wise culd be verefeit nor provin."

Within recent times a document has been discovered among the Hamilton Papers which bears to be a notarial instrument. It is dated December 14, 1542, and is written by Henry Balfour, designating himself a presbyter of the diocese of Dunkeld and a notary public, who narrates that the dying king nominated Beaton, Moray, Huntly, and Argyle as governors of the kingdom. Balfour was present with others in the king's death-chamber, and at Beaton's desire prepared the instrument.¹ The document had

¹ Hist. MSS. Eleventh Report, App. VI. 219, 220.

no legal value, if, as an indorsation states, Balfour was not a notary, and beyond all doubt it was not the "blank" signed by the king. It may be that the "blank" was secured, and it may be, too, that an instrument was prepared; but there is no proof that either was used, though there is evidence that the cardinal made statements, which were not believed, regarding the king's wishes. The recognition of Arran as Governor indicated that his faction was stronger than Beaton's; but the cardinal, though defeated, was not disgraced, as he was made Chancellor. Immediately after the return of Angus to Scotland the cardinal was seized and imprisoned. He was not brought to trial, and, therefore, no definite charge of treason or forgery was preferred against him. Arran and "the English lords" could not admit that he had been taken for Henry's purposes, and when explanations were required the story of the "blank" was told. Still later, after the lapse of years, Knox asserted that, whatsoever the king answered in reply to Beaton, documents were taken; and Buchanan declared that Balfour forged the will of the king. Lesley, the Catholic historian, did not mention documents, but said simply that the cardinal's statements could not be verified. There remains, however, the instrument found among the Hamilton Papers; and it may be conjectured

that Beaton, though he had employed Balfour, saw the strength of Arran's faction and judged that the instrument would be of no value for his schemes. The "blank" may have existed only in rumour, or, on the other hand, may have been made ready with the king's signature and never completed. There is certainly written reference to it in the period, and both it and the instrument may have been prepared; but the evidence for the "blank" is meagre when contrasted with that for the instrument. There is no proof that the cardinal made use of either of these papers; and whether conscious of guilt or sure in his innocence he seized no opportunity in private life to defend himself against a charge of forgery, and his enemies did not dare to bring him to an open trial.¹

The news of the cardinal's imprisonment was duly received by the pope, who, in a communication addressed to the Governors of Scotland and dated March 25, 1543, recalled the fact that on hearing of the war moved by Henry against James of distinguished memory he had granted the Scottish king six-tenths of the Church revenues, and appointed the Cardinal of St Andrews collector. A few days after letters had been written to James and Beaton the grievous news of the

¹ Cf. 'Blackwood's Magazine,' clxiii., p. 344; 'Contemporary Review,' lxxiv., p. 375.

death of the one and the capture of the other had reached him. The Governors would need the tenths, and he was sending the Patriarch of Aquileia to be collector in place of the cardinal, with instructions to put the money at their disposal for the defence of the kingdom and release of the prelate. The release was accomplished, however, before the papal intervention was intimated; and, though that intervention was not delayed, events had moved rapidly in Scotland.¹

At the beginning of April 1543 the Earl of Lennox left France, and Arran had cause for alarm, since his legitimacy, depending on the validity of a divorce, might be questioned. Lennox was descended from James II., and the cardinal in his resentment against Arran might favour the claim of Lennox as heir to the crown. On his arrival Lennox united with Beaton, and a rumour spread that they were assembling a force to obtain the guardianship of the young queen. More serious for the success of Henry's plans was the report that the Abbot of Paisley, "of the cast of France and the cardinal's great friend," was ruling his brother. Serious, too, was the news that Arran would not consent to the removal of the queen to England; and when Sadler announced that the Governor had been persuaded "with fair means and also some

¹ H., xviii. i. 319.

threatenings" by Angus, Glencairn, Cassillis, Maxwell, Somerville, and Sir George Douglas to remain "at the cast of England," he was forced to say that they trusted the king would defer the delivery of the child until she was of lawful age, or within a year or two of it.¹ Early in April, before the date of Sadler's communication, ambassadors appeared at the English Court and intimated the decision of the Scottish Council that the queen should not proceed to England till of marriageable age, that Arran should continue to be Governor throughout her minority, that Scotland should have always her own laws and customs, and that the chief strongholds should not be delivered till the queen had children. When asked if they would "become frende to frende and ennemye to ennemye," they refused to declare enmity to France. Henry, however, had very different plans, and would not conform to the resolutions of the Scottish Council. As his son was a prince to be desired for the daughter of any king, and should not marry any one ignorant of the nurture and fashion of his country, the queen must be sent to England within two years. He agreed that Arran should govern during her minority, but stipulated that after it he should hold his office under him and his son, and that the election of another

¹ H., xviii. i. 140, 302, 374, 418, 425, 435, 448, 458.

Governor, to take his place, should be with the King of England. He admitted that the laws and customs should continue unaltered, but required the fortresses to be held by Scotsmen selected by himself. As if his extravagance knew no bounds, he demanded that, if the Queen Mary died, he should receive the crown.¹

The ambassadors returned to Scotland, bearing Henry's communications, and Arran immediately summoned the lords to prepare an answer. Beaton would not attend their meeting, as he and his friends were forbidden to gather with any considerable force. Yet Arran had courage to resent the English demands, and with a great oath told Sadler they were most unreasonable, and that every man, woman, and child in Scotland would liever die than accept them. He even determined to abide the extremity of war rather than condescend to the king's desires, and would have revolted from him, but for the leaders of the Angus faction.²

Henry overreached himself by his exorbitant proposals; and Beaton, his chief enemy, whose seizure he had ordered or at least suggested, was honoured as a martyr for his country's freedom. The Church, too, of which Beaton

¹ H., xviii. i. 402. *State Papers (Henry VIII.)*, v. 428.

² H., xviii. i. 425, 458.

was primate, was saved from the spoiler's hands, and the ecclesiastical revolution was set back. "The English lords," with some show of honour, might seek to fulfil their dishonourable pledges; but not one of them would dare to hand over the young queen to the man who was plotting to be the supreme ruler of Scotland, and they knew that, if they proclaimed their infamy by trafficking with the child, their countrymen would withstand the usurper even unto death.

In his failure to reduce Scotland to his authority by the agency of Arran and "the English lords," Henry turned to the use of craft, and sought to secure Beaton by the promise of an English bishopric richer than Mirepoix. Accordingly instructions were given to Sadler, who, while he did not refuse the task of tempter, excused himself for not approaching Beaton on the ground that a Convocation of Clergy was being held at St Andrews. Prudence, however, probably guided him, as he heard that Douglas had just "escaped a hazard," of which the laird of Craigie with Beaton's consent was to be the executor.¹

Arran was prepared to engage in war rather than yield to Henry's imperious demands, and in his passion or patriotism dismissed the Protestant preachers from his household. Beaton

¹ H., xviii. i. 479, 482. Cf. H., xviii. ii. 68.

saw clearly that if he and his friends were to profit by the change in policy they must be ready to offer help; and, therefore, with Arran's consent he called the clergy to St Andrews. The Convention duly met and money to £10,000 and plate were promised. In their enthusiasm priests professed to be willing to fight, if need might be.¹ While a love of their country may have inspired these men, it is to be remembered that their Church was in danger. With singular inconsistency, and probably with no honest motive, Beaton intimated to Arran that if he was a hindrance to peace he would depart from Scotland and live quietly in France; but Sadler commented that he was more likely to inaugurate some new policy than seek retirement.² The cardinal in reality was awaiting a force from France, and the arrival of a papal legate was daily expected, who would advance his desires and punish certain prelates who had persecuted him. Marco Grimani, the papal nuncio in France, sent despatches to Cardinal Farnese by a servant of the Cardinal of St Andrews, and informed him that he had heard from a Scottish gentleman that the said Cardinal of St Andrews had

¹ H., xviii. i. 572. Robertson's *Statuta*, i. 143; Appendix to the Preface, xviii. xix.

² H., xviii. i. 572.

suffered great persecutions from certain prelates, and desired for the honour of God, the Holy See, and himself that they and their adherents should be punished. Grimani was to visit Scotland, and, requiring a special commission, sent to Farnese a memorandum of the terms of a Bull empowering him to proceed against those who had laid hands upon the Cardinal of St Andrews, even though they might be of archiepiscopal or episcopal dignity, or who might be accused by the cardinal, or any others, of crimes and excesses.¹

On May 14 Arran had written to Paul III. professing devotion to the Holy See and committing Scotland to the protection of his Holiness; and yet when he heard of the advent of Grimani, he declared to Sadler that if the French king did them no more harm than procure the sending of a legate to curse them he cared little, for, if the legate raised any garboil with his fulminations, or advanced things which might stir division, "he should surely never go home again." In spite of the devotion to the Holy See, Arran protested that if peace was concluded he would with the king's advice soon reduce the realm to obedience, reform the Church, and advance God's Word, "maugre the legate, the cardinal, and all the

¹ H., xviii. i. 535, 652, 745.

bishops and priests of the realm, with all their partakers"; and, further, would set upon the cardinal at St Andrews, who was the only man he hated, and that with just cause, for he wrote the humblest possible letters and yet privily worked to set division betwixt him and the noblemen.¹ Arran's words were but empty threats, and in June the cardinal left St Andrews for Arbroath without any permission and with a guard of his own choosing.² No man had pronounced him free, even as no judge had condemned him for any crime, and as early as May 2 he had intimated to the pope that after suffering imprisonment for defending the Church he was again at liberty. At the same time he had excused himself, owing to State affairs, for not attending the Council called by the pope.³

Shortly after his removal to St Andrews from Blackness the cardinal offered at two masses in the parish church and offered also to the arm of St Andrew. He did not content himself, however, with exercises of piety or the display of patriotic feeling, and on May 11 gave an order to a French engineer for guns and powder. The castle required to be strengthened,

¹ H., xviii. i. 542, 572.

² Ibid., 733. On June 19 he was named as auditor of exchequer (Charters, Register House).

³ Theiner, 614.

and gabions were constructed for the walls, the "great cannon stok with the wheels thereof" was taken from Leith to St Andrews, and "great iron bullets" were procured from Dunbar Castle.¹ During the period of the cardinal's imprisonment, writers and printers alike were busy, and on June 2 in presence of the Governor reference was made to slanderous bills, writings, ballads, and books daily written and printed. The publication of these was strictly forbidden, and the printers were enjoined to burn their stock, especially a new dialogue called "pascullus" and the "ballait callit the bair." Further, the issue of heretical books was to be stopped, and no open disputation regarding the sacraments was to be allowed.² The cardinal's power over the Governor was otherwise to be shown. James Gordon, parson of Crieff, had obtained writings of the Governor to intromit with the income of the Charterhouse at Perth, and on June 18 these were suspended. On June 13, however, before the suspension, Gordon, with armed men, had forced an entrance into the monastery, and on June 21 letters were addressed to him bidding him cease from his depredations.³

¹ Rentale S. Andr. John Beaton was duly rewarded for his services as captain and his financial support (Appendix XVIII.).

² Acts and Decrees.

³ Ibid

Arran with becoming indignation refused Henry's demands, and not improbably his jealousy of Lennox quickened his patriotism. Undoubtedly Lennox was a menace to his authority, and would not sign the Act recognising him as the second person of the realm. Accordingly the castle of Dumbarton was demanded in the queen's name. Lennox promised to render it and to acknowledge the Governor, but receiving a letter from the cardinal, by whom he was guided, fled to "the Highland," leaving the castle strongly defended.¹

In spite of the churchmen with their contributions for the war, and in spite, too, of Arran's indignation, the negotiations for peace were renewed. Glencairn and Douglas were sent with answers to Henry, who was forced to moderate his ambition regarding the overlordship of Scotland and the occupation of the fortresses. At last on July 1, 1543, commissioners of the two countries arranged a treaty of peace, which to Henry's annoyance included France, and also a second treaty by which the Queen Mary was to be married to Henry's son, and on the completion of her tenth year sent to England.² A "secrete devise" was prepared which revealed the

¹ Sadler, i. 197. H., xviii. i. 572.

² H., xviii. i. 482, 501, 577, 804.

shame and degradation of the Scottish nobles who accepted it, and Henry's dishonourable diplomacy. Glencairn and Douglas, each apart, subscribed the "devise," and agreed to labour "for the observation of the amity and delivery of the young queen," and for her preservation, but, "if she mis-carry or be conveyed away," to serve the king and not acknowledge the rule of the Governor or any other in Scotland without knowing the king's pleasure. Further, they undertook to support the Governor if he maintained the treaties, and, on the other hand, to cleave to the king's service should any division arise by practices of "the cardinal, kirkmen, France, or otherwise." They promised, too, to advertise the king from time to time regarding the state of affairs in Scotland.¹

Before the conclusion of the treaties, Arran, according to what was becoming use and wont, was urged to seize the cardinal, but he declared that an attack on the prelate would endanger the treaties and, in any case, would be difficult owing to the help expected from France.² Towards the end of June information was sent to Henry that a French fleet had arrived at Aberdeen. The French ships passed to Arbroath, and some conjectured that war was not intended and that the queen and her mother, and even the

¹ H., xviii. i. 834, 835.

² Ibid., 791.

cardinal himself, were to be removed from the country.¹ Beaton was closely watched, and stories were told that he had supplied provisions to two of the ships, given money to build Home Castle, and received into his household the sons or kinsmen of Lennox, Huntly, Bothwell, and Montrose.² Men talked of the splendour of his living. "The cardinal keeps a great house and gives great fees, such a house as was never in Scotland under a king."³ In this splendour may be found a cause of the jealousy which made many of the nobles his enemies. They could not emulate him, and the man who excelled was a priest. Yet some of the nobles were true to him and his cause, and everywhere the common people saw in him the champion of their liberties.

After the visit to Arbroath the cardinal was in St Andrews on June 15,⁴ and there on July 6, according to the Diurnal of Occurrents, a great council was held, at which Arran was arraigned for misguiding and heresy. The Governor had consented at the bidding of the cardinal to interdict the publication of political pamphlets and heretical books, but had not openly declared either for the Church against Henry the reformer or for the realm against Henry the usurper; and

¹ H., xviii. i. 810, 813.
Ibid., 670.

² Ibid., 827.

⁴ Rentale S. Andr.

Beaton determined to crush his authority. Words in the Council were followed by deeds in the country; and Arran had a sad tale of insurrections to relate, while Sadler had to inform his master that the cardinal and his accomplices were to meet at Stirling on July 20 and march to Linlithgow in order to seize the queen.¹ Among the stories of the time was one which told that Beaton sent a challenge to Sir Ralph Evers; and so anxious was Henry to get rid of his hated foe that he commanded Evers to accept it. While the king did not think that the cardinal would fight, he arranged that the combat should take place at Edinburgh, "rather than he should so slip." In some way Clement Crosier, "one of the strongest thieves in Scotland," was implicated; and the story of the challenge was probably nothing more than an exercise in mischief-making.²

In his anger against the cardinal for not approving the settlement projected by the treaties Henry sent £1000 to Arran and advised him to proclaim Beaton and his friends traitors to the realm. He offered, too, to chastise the Borderers and despatch a fleet to capture the French ships.³ The cardinal did not wait for the issue of a pro-

¹ H., xviii. i. 896, 897.

² Ibid., 914, 921. Cf. H., xviii. ii. *Introduction*.

³ H., xviii. i. 935.

clamation, but proceeded to action. An attack was made on the palace of Linlithgow, which, however, was too strongly garrisoned to be taken. At this juncture Arran was singularly inactive. He and his confederates were stationed a few miles from Linlithgow, and though stronger than the enemy did not move. Negotiations were opened, though not before Beaton, Lennox, Argyle, Huntly, Bothwell and others pledged themselves by a secret bond to defend the realm and protect the queen. When the commissioners of the two factions came together the cardinal's proposals were accepted, that four barons should have charge of the queen and a Council be chosen to advise the Governor. During the negotiations Beaton and Arran met for the first time after their estrangement.¹

The factions had come together, but the treaties between Scotland and England were not signed, and a convention was suggested. Beaton proposed Stirling as the place of assembly, and represented to Glencairn that he desired Henry's favour. Suspicions were aroused, however, and it was thought that an attempt would be made to seize the young queen, who had been removed to Stirling. It was known, too, that the arrival of a French ship with men and money was expected. Accordingly the Governor determined that the

¹ H., xviii. i. 938, 940, 944, 945, 951.

signing of the treaties should be at Edinburgh, and to make sure of the cardinal's presence offered his own son, and the son of Sir George Douglas, as sureties for his safety. But Beaton did not trust Arran, and, in any case, would not give his sanction to the treaties.¹ When they were signed at Holyrood on August 25, 1543, the cardinal of Scotland was not a party to them.²

Sir George Douglas, when an opportunity occurred, taxed the cardinal with responsibility for the rebellion at Linlithgow, and charged him with not seeking the commonweal but only the "maintenance of the proud state and abuses of the Church." Beaton answered frankly, according to Douglas, that that was true, and that he and his friends understood that the Governor would put down abbeys, altering the state of the Church after the example of England, and that to oppose this they would do all in their power. At the same time he excused himself for not attending at Holyrood, on the ground that he feared the lightness and inconstancy of the Governor, and especially the malice of the countess his wife.³ During the negotiations of the factions the arrogance of the English king was once more displayed. He urged that Beaton should not be placed on the Council, unless he renounced the red hat and agreed that God's Word be set forth.

¹ H., xviii. i. 951, 952, 974.

² H., xviii. ii. 79.

³ Ibid., 49.

He declared, too, that were the queen removed and married contrary to his desire, he would by his "title and authority" make the Governor King of Scotland beyond the Forth, and give his own daughter in marriage to Arran's son. The use of fair promises was not forgotten, however, and Beaton was offered, if he would give up the red hat, as great profit as he ever had at the hands of his king or the pope.¹

Whatever they might have done for the peace and progress of the two countries, the treaties were rendered useless by the foolish action of Henry himself, who had sought them for his own diplomatic purposes. Certain Scottish ships were seized in an English port, and in excuse it was alleged that the men had confessed to being of the cardinal's party.² The news of the event, which had happened before the ratification at Holyrood, created intense excitement in Scotland. An angry crowd threatened to set Sadler's house on fire and to burn "him and his."³ The Governor, also, did not escape the popular indignation. He had recognised the need of Beaton's consent to the treaties and had laboured to obtain it. Moreover he had protested to Sadler, perhaps sincerely, that the cardinal would prove the most honest man of them to the king.

¹ H., xviii. i. 971 ; ii. 9, 68.

² H., xviii. ii. 46.

³ Ibid., 111, 127, 133.

In his excitement after the ratification he had gone to St Andrews, but being repulsed by the cardinal had publicly denounced him as a traitor.¹ Returning to Edinburgh he encountered the anger of the people, who saw in him the betrayer of their liberties. One man profited by the new political situation. Beaton had not assented to the treaties, and his opposition appeared to be justified by Henry's outrageous folly. The primate of the Church was hailed as the defender of his country.

One of Sadler's letters of September 5 contained an account of the destruction of the cardinal's abbey of Arbroath, which, however, is not recorded in any other document. Writing from Edinburgh he declared that "there be newes com this day to this towne, that the Lorde Gray, being one of the kynges majestes prysoners, and the Lord Ogleby, with a good bande, have sacked the cardynalles abbey of Arbrogh, and that they have taken out all thordenaunce and artillery out of the French shippes which were chased into Dundee and Mountrosse by our men, with the which artyllery they did besiege the said abbey, intinding in lyke wyse to precede to the rest within theyr boundes and countreys. This is sayed here comenly to be trew, but whether it be so or not I can not tell."² In the Diurnal

¹ H., xviii. ii. 79, 94.

² Hamilton Papers, ii. 14.

of Occurrents there is the brief statement that "Abirbrothok kirk" would have been destroyed "war not the lord Ogilbie."

Learning that the treaties had been ratified, but unaware of the clamour roused by the seizure of the ships, Henry did not hesitate to advise Arran, and his recommendations were definite. The Governor should endeavour to win the cardinal to his side, and if he failed should prosecute the churchman, take Stirling Castle, declare Bothwell and the Homes traitors, place Glencairn or Cassillis over Dumbarton Castle, make himself lord of the country south of the Forth and hold the key of the North. Men experienced in counsel were to be sent from England, and money was promised. Thus did Henry plan the destiny of a country of which he was not dictator.¹

Scotland was incensed by the wanton attack on the ships, and Arran recognising the insecurity of his position saw the need of freeing himself from suspicion of treachery and treason. Sadler, indeed, described him as faint-hearted, and likely to yield to the cardinal, who was a "wily fox." Arran's brother, the Abbot of Paisley, on the other hand, was not wavering in purpose, and through his influence a ship was taken by which the relation of the factions

¹ H., xviii. ii. 116.

was changed, and the King of England outwitted. The Governor, yielding to his brother, sought the cardinal, and found him at Callender House, situated between Linlithgow and Stirling.¹ A reconciliation took place, and the priest and the noble, who had been enemies through many bitter days, rode amicably together to Stirling. The cardinal at once made known to Angus the fact of the new alliance, and invited him to attend the coronation of the queen, which was to take place on September 9.² Henry again intervened, and again his orders were futile. Angus was instructed to seize the cardinal, the Governor, and the young queen, and men and money were to be supplied.³ Events, however, did not tarry to please the angry king. Arran had been the enemy of the Church, and in contrite manner he made public confession of his faults. He admitted that by his consent the friaries at Dundee had been sacked, and all thereupon said he was accursed. Passing to the friars at Stirling he made "open penance and a solemn oath" to support the profession "of monks, friars, and such other." Thereafter he was absolved by the cardinal and bishops, and received the sacrament, "Bothwell holding the towel over his head." In his pious humility the Governor remitted all his proceedings to

¹ H., xviii. ii. 128, 132.² Ibid., 139.³ Ibid., 169.

the advice of the cardinal and others. In the chapel of Stirling Castle, on the Sunday following the ceremony of absolution, "they crowned the queen, the Governor bearing the crown, Lennox the sceptre, and Argyle the sword." According to Sadler the coronation was performed "with such solemnity as they do use in the country, which is not very costly." A Council was chosen to advise with the Governor, of which were the queen dowager and the cardinal; and on Monday, September 17, the leaders of the new party entered Edinburgh. It was told that Beaton declared at Stirling that ere the King of England had interest in Scotland he and many of the clergy would die; and certainly he was as determined as a man could be that Henry should not be master.¹ The Scottish ships had been seized, and before that event was known in Scotland the treaties had been accepted by the Governor and his friends; while, on the other hand, after the ratification of the treaties, the Governor had revolted, the queen had been crowned, and the cardinal had triumphed in his policies.

Shortly after the transference of the new Council to Edinburgh Sadler was called to an interview. He found the members set at a long board in the cardinal's house, the dowager at the

¹ H., xviii. ii. 174, 181, 188, 202.

board's end, with the Governor on her right and Moray on her left, the cardinal next the Governor, and the rest in order. The cardinal told him that they had seen letters from the king to the provost and citizens of Edinburgh, which were so sharp that they thought the king must have been untruly informed, and as the occasion seemed to be that Sadler was not well treated he would show them the circumstances, so that they might punish, and provide for his welfare. Further, they had heard from him that one of his posts had been detained by the Homes, and they prayed him to impute it to the wildness of the Borders. In reply, Sadler set forth the ungodly violence of the townsmen to him and his, and their vile railing on the king, and all seemed sorry to hear of it. Speaking of the Borders, he declared that the Englishmen would not suffer unrevenged, and if peace was not observed the fault would lie with the Scots. The cardinal prayed him "to garr him understand how the default should be in them"; and Sadler showed how, upon the death of the king, Henry had stayed his sword, and had been content to treat a peace and marriage which the Scots concluded and swore to perform. The non-performance of the treaties was declared to be the only cause of the trouble on the Borders. The answer of the cardinal was significant. He showed that the

greatest part of the nobility had not consented to the conclusion of the treaties ; and proceeded to say that Henry was a prince of such wisdom as would rather seek direct means for the authentic and honourable conclusion of them than private ways which could not stand. The noblemen present, he said, minded no less to satisfy the king than did the others who had privately treated with him, "in all things reasonable standing with the honour and surety of their sovereign lady, and the honour, liberty, and commonwealth of her realm"; but if, for not agreeing to that which would be contrary to the honour and liberty of this realm, the king persecuted his own kinswoman, an infant, it could not stand with his honour. Sadler answered that the cardinal should not be the judge of the king's honour, and asserted that as Henry had concluded things to "the weal, honour, and surety of his pronepte," he would prosecute interrupters of the same as her enemies.¹ It is evident that Beaton did not hold that the treaties were binding, even though the Governor had signed them ; and certainly the peace of the two countries was in danger.

At another interview Beaton showed that, upon the assurance of the treaties arranged by the Governor and Henry, merchants had sent

¹ H., xviii. ii. 202.

their ships to sea, and that some of the ships had been taken. Sadler replied that the ships were laden with victuals for France, contrary to the treaties, and that the men spoke slanderously of the Governor. The cardinal thereupon said that these causes were not sufficient for the stay of the ships, as they carried no victual, except it were fish, which was their common merchandise. Further, he demanded whether, if the Scots conformed to the laying of hostages and accomplishment of the treaties, Sadler could promise that the king would restore the ships and redress "attemptates" done on the Borders. No definite promise could be given, but Sadler supposed that if the treaties were executed, Henry would restore the ships and redress the "attemptates."¹ It was well for Sadler that he offered nothing, as on September 30 Henry wrote that, considering the unseemly overture made by the cardinal and his sort, and that he himself was at war with Scotland for the lack of performance of the treaty, he would not accept it again as it was passed. He saw "one man his enemy directing all things," and declared that unless that man and the Governor were delivered to him or deprived of their authority, he would hardly be persuaded to any pact with Scotland. The unfortunate Sadler

¹ H., xviii. ii. 213.

was forced to reply that Angus and his friends seemed to dislike the king's advice, and that while they wished the cardinal to be in the king's hands he was secure in his castle of St Andrews, which was very strong.¹ Nothing but unfulfilled promises had been got by Henry from the "English lords," and yet he continued to give orders which these men were powerless to obey.

France was still the hope of the Scottish patriots, and the expected help did not altogether fail. At the beginning of October 1543 money and stores were consigned to Lennox at Dumbarton. Lennox, however, had passed to the English party, though the fact was unknown in France when the ships set sail. He and Arran were rivals, and he separated from Beaton when the Governor made his momentous political change at Stirling. The French stores, however, were not delivered to him, as James Stewart of Cardonald intimated to Beaton that he had just arrived with the ships and "*ane patriarche quhilk the payp has sent in Schottland quhae sall do na thing bot as your lordship plessis command hym.*"² The legate was Marco Grimani, who before his arrival had excommunicated the men guilty in the eyes of the Church of imprisoning the cardinal. With

¹ H., xviii. ii. 235, 255.

² Ibid., 257; C. M. G.

Grimani certain ambassadors had crossed from France, and Beaton desired their presence in Stirling, while at the same time he was eager to secure the munition carried by the ships.¹ Stirling was reached, and it was a doleful tale that the legate told in his correspondence. The dowager and the cardinal, he wrote, grieved that the troubles prevented them from making a loving demonstration. The realm was so divided and full of heresy that unless God provided for it they would shortly hear of Scotland as they had heard of England. By their excessive expenses, he added, the dowager and the cardinal were so exhausted of money that they could only turn to God, and recommend themselves to his Holiness and the French king.²

With good intention, though with little skill as a diplomatist, Arran invited Angus and his friends to a convention at Stirling; but they replied that they would not meddle so long as the cardinal was in place or Council. These men, however, were in straits. They were powerless to act against the Governor and Beaton, and they knew not what Henry would do. Would he engage in Border wars or invade the country?³ The

¹ H., xviii. ii. 275. Cf. letter (Secret Archives of the Vatican) quoted by Father Stevenson in 'Mary Stuart,' p. 50.

² H., xviii. ii. 299.

³ Ibid., 275.

king's plans, as they were really not determined, could not be communicated, and his only command to Angus was to watch events. Rumour and slander alike were busy at the time. It was said that Arran was about to return to the king, and that the dowager, the cardinal, and Bothwell were together in St Andrews, "whereof the people speak largely enough, because in the lifetime of the late King of Scots he had her in some jealousy for the over much familiarity betwixt her and the said cardinal." Further, there was talk that the young queen might be taken away, and another child substituted. Angus accordingly was ordered to watch, as "the falsehood of the world was such, and the compasses such of the cardinal and of the dowager."¹

Sadler left Edinburgh at the end of October, when his indiscretions had made his stay impossible; and his last action was almost his worst. He represented to the merchants that, if they supported the English cause, the ships might be restored. These men, however, were enraged by the suggestion that they should betray their country, and Sadler was in deep disgrace when he sought a refuge in Tantallon.² Angus received him, and thereby increased the popular indignation against "the English lords," which was further excited by the discovery that

¹ H., xviii. ii. 255, 256.

² Ibid., 302, 367, 388

Maxwell and Somerville as their agents were trafficking with Henry.¹ Sadler was in a difficulty when communicating with the English Council. He could not tell what course Angus and his friends would follow upon the apprehension of Maxwell and Somerville, and he was forced to admit that they had not been able to do the king's will and could neither apprehend the Governor and the cardinal nor get the young queen into their hands. So far as he could perceive, they would have difficulty in saving themselves from their enemies.²

Though he had secured a shelter, Sadler was not allowed to remain in peace at Tantallon, as the Governor ordered his dismissal on the ground that he was corrupting by money and otherwise the great men in the realm.³ The Douglasses, too, were judged to be dangerous to Scotland's liberty, and their strength must be broken. Rumour said that Beaton declared that though it cost him his life he would drive them out, and that he was urging the Governor to destroy all who favoured England. The cardinal did more than threaten. By his advice Dalkeith House was taken, while Pinkie, belonging to Douglas, was besieged and the passes to Tantallon were beset.⁴

¹ H., xviii. ii. 328.

² Ibid., 397.

³ Ibid., 343.

⁴ Ibid., 350, 353, 364.

After the attack on the Douglas strongholds, the Governor and the cardinal proceeded to Fife and Angus "to do some exploit" on the Earl of Rothes and the Lords Gray, Ogilvy, and Glamis.¹ It appears from one of Brunston's letters that they visited Dundee and sent for Gray and his company, who, however, refused to speak with Arran till he had put away the cardinal and Bothwell. Thereupon by rewards and other false means the cardinal "dressed" most of Gray's gentlemen and caused Arran to arrange another meeting. The tryst was accepted, and Gray, Rothes, and Balnaves were betrayed and taken. The cardinal desired the custody of Balnaves, "because he loved him most of all." John Charters, a friend of Gray, escaped, and no man in Scotland was able to give his enemies more trouble. Brunston further reported that the cardinal and the Governor took seven or eight of the honestest men of Dundee for pulling down the friaries, and that the cardinal had the Governor's son in pledge that "he should bide at his counsel."² Rothes was a prisoner but for a short time, as on one of the last days of December 1543 he was present with the car-

¹ H., xviii. ii. 378.

² Ibid., 425, 428. Cf. Rentale S. Andr. for the presence of Arran's son in the castle of St Andrews.

dinal at a Council held in Edinburgh. Gray, on the other hand, was not set at liberty till May of 1544.¹

Knox narrates that the Governor, having the cardinal at his side, endeavoured to set his enemies the one against the other, and began with the Lords Ruthven and Gray. "Now, thus reassembled the worldly wise man," he says, "Yff I can putt ennimitie betwix those two, I shalbe rydd of a great number of unfreindis; for the moste part of the cuntrey will either assist the one or the other; and so will thir be otherwise occuppyed then to watch for my displeasur."

While force was being employed in the cause of patriotism, the uses of bribery were not despised, if Sir George Douglas spoke the truth. He declared that he had received a message that if he would meet the Governor or the cardinal, with four with them, and refuse England, he should have an abbey to him and his heirs, twenty score crowns out of another abbey, and a pension of France. Asserting that Scotland would "not be won but with great strokes and many of them," and that all Scots favoured France better than England, he professed that "if all his friends refused him he would serve the king with himself and a boy."²

Beaton's vigour, if the praise was of value to

¹ Hamilton Papers, ii. 145, 237.

² H., xviii. ii. 424.

him, was applauded by the dowager, who wrote to the pope "that her cousin the Cardinal of St Andrews had done his duty well." Marco Grimani, too, was impressed, and intimated to the Cardinal Farnese that his continuance in Scotland would be of no honour to the pope or service to the French king, "now that the alliance with France is confirmed, the queen and cardinal being now at liberty and governing all at the cardinal's pleasure, who is of prudence and worth, without any one's aid or counsel, to govern a greater nation than this." Even Arran did not fail, and, as James so often had done, he asked the pope to appoint Beaton a legate of the Holy See.¹ Sir George Douglas, on the other hand, received neither praise nor reward from his English master. He was plainly told by the English Council that, though men and money had been granted, he and his brother were sitting still, and was warned that when things were brought to what the cardinal desired they would "surely go to the pot for it." It was also said to him that "the cardinal who slandered him to be a traitor to his king deceased and was one of the chief causes of his continual exile (for which he went into France to challenge his revenge and at his restitution into Scotland help the cardinal into prison) is not a man of so

¹ H., xviii. ii. 416, 435, 471.

simple courage or little malice as not to requite what Douglas has done against him.”¹

Neither Beaton for Scotland nor Henry for England was seeking after peace, and the Scottish Parliament of December declared the treaties to be at an end. The alliance with France was formally renewed: a summons of treason was prepared against Angus and his friends, and a decree against heresy was passed. The records of the Parliament show “that my Lord Cardinal had accepted the office of Chancellor in and upon him at the desire of my Lord Governor and the Lords of the Articles.”²

The Parliament gave legal sanction, if any was required, for a campaign against heresy, and the Treasurer’s Accounts for January 1544 show that money was spent for “punising certane Heretikis” in Perth and Dundee.³ In the Diurnal of Occurrents it is recorded that “upoun the xxviij day of Januare the Governour with his Lordis past to Sanct Johnstoun and Dundie, and brunt mony limmaris in the said tolbuis.”⁴ According to Knox the Governor and the cardinal were at Perth on St Paul’s day “befoir the first burnyng of Edinburgh.” A great number of honest men and women, accused of heresy, were called before them; and though they could be convicted of

¹ H., xviii. ii. 450.

² Beaton was made Chancellor on December 13.

³ Cf. Laing’s ‘Knox,’ i. 117, note.

⁴ “Tolbuis” in the print looks like a mis-reading of “townis.”

nothing but only of suspicion that they had eaten a goose upon Friday, four men were adjudged to be hanged and a woman to be drowned. At the same time several men were banished, and John Roger, a Dominican preacher, was removed to the castle of St Andrews, where he was murdered. Spottiswood's account of the tragedies at Perth is graphic in its details, whatever their truth may be. Five men were executed: one for saying that a man might be saved without prayer to the saints; three for nailing two horns on the head of an image of St Francis, for "the putting of a cowes rump to his tail," and for eating a goose on All-Hallow evening; the fifth for keeping company with the others. A woman, charged with refusing while in labour to pray to the Virgin and saying she would pray to God only in the name of Jesus Christ, was drowned. Tradition tells how from the Spy Tower beside the Tay the cardinal beheld the executions.¹ History and tradition alike witness to the cruelty of the prelate who with ruthless severity punished even trivial offenders against the dignity of the Church. But for his cruelty Beaton might have been found among the nation's heroes, and by that cruelty, displayed again and again, he made enemies to himself and injured the cause of Scottish independence of which he was the champion.

¹ Chronicle of Perth (Maitland Club).

1544-1546.

AT the beginning of 1544 Henry, with definite regard to the action of the Scottish Parliament, intimated that peace could not be established unless the Governor and the cardinal "perfected" the treaties. Arran, who was neither willing nor able to satisfy the king, asked for safe-conducts for ambassadors to treat of things which concerned the welfare of the two realms. The cardinal also wrote; and in declaring that there was perfect obedience to the queen and Governor, with unity amongst the nobles, begged Henry to believe that he was inclined to labour for his "contentation," in so far as might stand with his duty to his sovereign lady.¹ The cardinal was not lying about the unity, as on January 13, 1544, in the Rood Chapel of the Greenside, Edinburgh, commissioners appearing for Angus, Lennox, Cassillis, and Glencairn agreed to be true to the queen and assist the Governor in defence of the realm and Holy

¹ H., xix. i. 2, 44, 46.

Kirk. Hostages were given, and among these was Sir George Douglas, who with truth, if regardless of honour, explained that the men of his party were acting to save themselves, seeing they were to their adversaries as one to ten. He told Suffolk that he trusted, if God gave him liberty, to make all his friends serve the king, and asked that an English army should be sent when the time of year permitted.¹ Henry did not ignore the cardinal's letter or hesitate to say that his enemy had offended God, slandered his profession, and used little loyalty to his native country. If he intended, the king said, "to meddle in the affairs of the world and to leave aside the charge of the office of a minister of God's Word," he should regard better the honour and weal of the realm than he had done.² The tortuous dealings of Angus and Douglas were not passed over by Henry, who declared his purpose to make their punishment known to all the world.³ At the same time his wrath against the country did not abate, and he proposed to make an invasion in March, though Suffolk considered that the preparations could not then be completed.⁴

Though angry with the Douglasses, Henry soon saw that without their help his cause was

¹ H., xix. i. 24, 30, 33.

³ Ibid., 51.

² Ibid., 91 (letter undated).

⁴ Ibid., 71, 83, 98.

hopeless, and he let it be known that Sir George must understand that certain of his lands were to be overrun, in order that he might appear to the cardinal and the Governor to be out of the royal favour.¹ He advised that wherever a raid was successful there should be set on the church door or other place an intimation to the people, "you may thank your cardinal of this; for if he had not been, you might have been in quiet and rest, for the contrary whereof he hath travailed as much as can be to bring you to sorrow and trouble." There should be, too, according to Hertford's advice, a general proclamation that "whereas divers of the nobility, being the king's prisoners, humbly sued that he would extend pity to the young queen, his pronept, and marry her to the prince, so that the realms might be united and live in peace for ever, the king, notwithstanding his just title to Scotland, was content to hear their suit, provided that their Estates would, by Act of Parliament, authorise some to conclude it. This was done and the marriage concluded, and oath taken to it by 'the Earl of Arrain, your Governor, as ye call him,' and yet by the crafty and devilish mean of the cardinal and his complices that godly purpose has been altered so that all this realm has cause to curse the

¹ H., xix. i. 92.

hinderers of it." Hertford further suggested that the proclamation should bear that "considering that those pacts are not kept and that his pronept is in peril from the discords here, the king, as her next kinsman, has sent the Earl of Hertford with his army royal to require the delivery of her, safely to be kept within this realm (England) until the marriage. All who refuse this shall be persecuted with fire and sword, and those who agree and deliver good hostages shall be taken to Hertford's protection, who promises in the king's name that they shall enjoy the 'liberty and freedom of his realm,' with all their possessions, as amply as they now do." ¹

Proclamations issued under the authority or in the name of the English king were wholly useless to stir the Scots against the man whom they recognised, churchman though he was, as the defender of his country's independence. Beaton as primate and cardinal was undoubtedly the guardian of the Church in Scotland, but ecclesiastical policy did not clash with patriotism, and the priest was not in conflict with the politician. The powers of the primate were increased and his dignity was heightened when at last on January 30, 1544, the pope appointed him legate *ad beneplacitum*. There is

¹ H., xix. i. 231.

nothing to show why the long-deferred honour was granted on that date, though on February 29 the Governor, ignorant of the papal act of grace, commissioned the Patriarch of Aquileia to narrate to the pope the efforts of the cardinal against the enemy and to indicate the favour he deserved of the Holy See. The advantage of the office of legate was manifest, Arran wrote, as the people exclaimed that amongst all the fires of war the slightest causes were carried to Rome, which was a hardship and an intolerable expense, especially when the realm was exhausted. The truth was, in all probability, that the pope recognised how much now depended upon Beaton, and saw the necessity of giving him powers which had seemed dangerous while James V. was alive. The bestowal of the legateship was duly acknowledged on March 30, when the Governor assured the pope that he was much affected, as the man was very dear to him and ready to spend his life for the Holy See and the realm. He thought that an ornament had been added to the State, and that he himself was honoured because of the relationship of blood that was between them.¹

¹ H., xix. i. 75, 138, 266. Cf. xx. i. 630. The commission was taken by an English privateer, as it was being conveyed from Campvere. It was sent to Henry VIII. (cf. Robertson's *Statuta*, i. 130, note).

The resources of the Governor and the cardinal, unfortunately for their cause, were inadequate to provide an army to meet the English invaders, and their hope lay in aid from France. A rumour spread that the cardinal was about to call a great assembly, and it was also said that the dowager and he were about to leave the country. But according to a letter, dated March 11, Beaton declared that the Governor and he "trusted not long to be at a quietness with England, or else they should have aid"; and on March 21 a proclamation was made that all who were friends of the Governor should assemble on the last day of the month to proceed against the Earl of Lennox, who was false to the compact made in the Rood Chapel. Again there was the rumour that the cardinal would steal away.¹ Two things, however, did come to pass. Lennox was attacked in the castle of Glasgow, and ambassadors were sent to France.²

Before the attack on the castle of Glasgow it was represented to Henry that Lennox, Angus, Cassillis, and Glencairn were in danger from Arran and Beaton, who were preparing forces.³ If the statement was true, the danger to Angus

¹ H., xix. i. 159, 180, 190, 228, 235, 253. Cf. Hist. MSS., Salisbury, i. 31.

² Diurnal of Occurrents. T. A., viii. 278.

³ H., xix. i. 243. Beaton was at Glasgow on April 9 (Rentale S. Andr.)

and Cassillis was averted by their own surrender. Angus, with some of the Douglasses, and Maxwell were seized, under a warrant signed by the queen, the Governor, and the cardinal; but no resistance was offered, as the captives were parties to the arrest. Doubtless they intended to deceive the English king, who, however, duly learned the details of the harmless plot. Though Sir George Douglas was taken, his son, the Master of Morton, who was not a prisoner, professed loyalty to Henry, and also, in spite of appearances, the allegiance of the Douglasses.¹ Henry had no intention of helping Angus, whom he could not trust. He was determined, however, to punish Scotland for repudiating his claims, and also to prevent any intervention by the Scots on behalf of Francis, against whom he was meditating war. Accordingly, on April 10, instructions were given which revealed the furious anger of the king. Hertford was to burn Edinburgh, and so deface it as to leave a memory for ever of the vengeance of God upon falsehood and dishonesty. The castle was to be beaten down, Holyrood House destroyed, Leith, with all the surrounding towns and villages, sacked, burnt, and subverted, and every man, woman, and child put to fire and sword, wherever resistance was made. The destruction was to be

¹ H., xix. i. 294, 297, 299, 306, 337.

extended to Fife, and Hertford was not to forget to turn upside down the cardinal's town of St Andrews, so "as th' upper stone may be the nether and not one stick stand by another." He was to spare no creature alive, especially such as were allied to the cardinal.¹ Henry did not rely on help from any of the Scottish nobles, but the Master of Morton offered to convey the king's army, and deliver Tantallon; while Jardine, the captain of the castle, who swore that he would deliver it with as good heart as he would drink, desired the army to hasten, saying, "I pray God that a knife stick me, but I could be contented to boil seven years in hell upon condition I might have a piece of 'mends of the proud cardinal."²

While Hertford was at Newcastle in April "a Scottish man called Wysshert" carried to him a letter from the laird of Brunston, who had been formerly in the service of Beaton. Wishart was repairing to Henry with communications from Brunston, and Hertford explained to the English Council the nature of his business, which was in the main a proposal to seize or kill the cardinal. The laird of Grange, late Treasurer of Scotland, the Master of Rothes, eldest son of the earl, and John Charters would apprehend or slay the cardinal when passing

¹ H., xix. i. 314, 319.

² Ibid., 320, 326.

through Fife to St Andrews, if they knew what support the king would afterwards give them. Further, if the king would aid them to keep 1000 or 1500 men for a month or two, they, with the help of the Earl Marischal, the Master of Rothes, the laird of Calder, and other friends of Lord Gray, when the king's army was in Scotland, would destroy the cardinal's abbey and town of Arbroath, and all other bishops' and abbots' houses "on that side," and apprehend the principal "impugnators" of the amity between England and Scotland. The Privy Council replied, in the first instance, that if the lairds of Brunston and Ormiston, and the lairds of Calder, father and son, delivered hostages, or joined the army, their lands and goods would be preserved. Later, the Council announced to Hertford that "this bearer, Wishert, which came from Brunstoun," had been with the king, and received an answer. If the lords and gentlemen named by him enterprised the feat against the cardinal, and thereupon were compelled to flee to England, they would be relieved "as shall appertain"; and, as to the entertainment of men to burn the kirkmen's lands, the time was too short to commune further of it, but if they would lay hostages to Hertford to do as they offered he would deliver them £1000 "for their furniture."¹

¹ H., xix. i. 350, 389, 404. Appendix XIX.

The English Privy Council, continuing their instructions to Hertford, prepared a proclamation to be issued in Scotland. The king, it was to be set forth, notwithstanding his title to the realm, had concluded articles of peace and marriage, from which the Governor and State of the realm, by the sinister enticement of the cardinal, had dishonourably swerved. Hertford was to declare that in order to revenge the dishonourable proceedings he had been sent by the king to persecute the realm, and the people were to know that the very ground of the trouble which God was sending them was the cardinal and the Earl of Arran—"the cardinal to maintain the pride of himself and the clergy having falsely seduced Arran and most of the noblemen, and Arran, by relenting to the cardinal's fair words, having brought this realm to its present misery, and himself into great peril (for the cardinal has already covenanted with Argyle to depose him and take the Governorship, as would be done forthwith, if this our entry did not impeach it)."¹

At the beginning of May, Hertford, having sailed from Tynemouth, disembarked near Leith, and at a short distance from the landing-place encountered the Governor and the cardinal. A fight "right sharply handled on both sides" lasted but for half an hour, and the victorious

¹ H., xix. i. 389.

English marched to Leith and occupied the town.¹ Chapuys, writing to the emperor, represented Beaton and Arran fleeing from Edinburgh. The cardinal, he said, "*estoit vestu d'une casaque de vellour jaulne fort descoupe, plaine de taffetas blanc avec listes d'or que floquoyent par les descoupeures.*"² In a news-letter dealing with "the late expedition in Scotland" it was stated that the Scots with 5000 or 6000 horse and a good number of foot seemed ready at first to attack the vanward, but, the cardinal especially, "finding our devotion to see his Holiness such that we were ready to wet our feet for the purpose, to pass a ford between us, after some shot of artillery on both sides, they made a sudden retreat and fled to Edinburgh, leaving their artillery behind them. The first man that fled was the holy cardinal, like a valiant champion, and with him the Governor, the Earls of Huntly, Moray, and Bothwell, with divers other great men of the realm." According to the news-letter, the English on their homeward march burned Lord Seton's house, destroying his orchards and gardens, the fairest in the country. This despite was done "because he was the chief labourer to help their cardinal out of prison,

¹ H., xix, i. 463, 472.

² Ibid., 518.

the only author of their calamity.”¹ In another account it was said that the Scots, seeing the English so willing to fight, fled away, “the cardinal and Governor and other earls first.”² Knox narrates that on May 3, without the knowledge of such as should have had the care of the realm, a great navy of ships arrived in the Forth. Posts reached the Governor and the cardinal who were in Edinburgh. Questions arose, and some said the men were English and would land. The cardinal scripped and said, “It is but the Island flote: thei ar come to mak a schaw, and to putt us in feare. I shall lodge all the men-of-ware into my eae, that shall land in Scotland.” Beaton still sat at dinner, even as that there had been no danger appearing. After describing the landing of the English, Knox proceeds to say that the Governour and cardinal, “seeing then the thing that thei could nott, or att least thei wold nott beleve befor, after that thei had maid a brag to feght, fled as fast as horse wold cary them, so that after, thei approched nott within twenty myllis of the danger.”

It is recorded that on May 5 payment was made to a guide for Beaton from Corstorphine to Stirling, where on the 8th in fear of his life

¹ H., xix. i. 533.

² Ibid., 534.

he completed an instrument in the Chapel Royal by which three of his kinsmen were appointed his testamentary executors.¹

No serious opposition was offered to Hertford throughout his campaign of destruction, and Henry's threats were fulfilled. The Englishman could tell that the king's commission was well executed, as "the town and abbey of Holyrodehouse was in a manner wholly burnt and desolate," and that "the women and poor miserable creatures of the town cried out upon the cardinal with the words, 'Wa worth the, cardinall.'" ²

While Hertford was at Leith he received a visit from Sir George Douglas, who protested that he would serve as the king appointed. The Governor and the cardinal, he said, though perplexed by the English invasion, were comforted by the arrival at St Andrews of five French ships with news of further aid from France. He declared, too, that fire and sword were putting the people in despair, but that fair means would win their hearts. Hertford, who had no authority to desist from fire and sword, "so choked him with the untruth of the nobility that he could not deny they deserved their punishment."³ The aid from

¹ *Rentale S. Andr.* Appendix XX.

² *H. xix. i.* 483.

³ *Ibid.*, 510. Cf. 516.

France was not obtained, and again it was spread abroad that the cardinal intended to steal away. Towards the end of July a ship was captured off Scarborough, and one of the men on board was thought to be the cardinal, and even so late as September there was the rumour of flight.¹ Beaton, however, did not pass to France. From Stirling he had retreated to Doune, as Hertford detached a force to overrun the country westwards in pursuit and sent ships along the coast in the direction of St Andrews. Turning back towards Castle Campbell he crossed the Ochils, and remained for eleven days at Kyncardin, near Auchterarder, the house of the Earl of Montrose. Thence, after Hertford had reached the Border, he sought the protection of his own castle, travelling by way of Falkland. When departing from Kyncardin he gave donations to the coverer of the tables, William the "Gude Gyde," the steward, janitor, cook, pantryman, and a priest who had celebrated mass.² Though the cardinal was the holder of a priestly office, his goods were not counted more sacred than a layman's. On May 19, at a place near Dunning, his silver was seized by William Murray of Tullybardine, as it was being con-

¹ H., xix. i. 595, 603, 621, 1000. ii. 227.

² H., xix. i. 510. *Rentale S. Andr.*

veyed from Kyncardin to St Andrews. The stolen goods included a great cross, two basins, two lavers, trenchers, "salt panis," plates, dishes, "candlaris," and spoons, to £2800 Scots.¹ In the spring of the following year the Lords of Session gave judgment against Murray, and, as he could not refund the silver or pay its cost, lands to the required value were taken.² During the autumn spades and ropes were procured for the work of strengthening the Castle of St Andrews, and large quantities of lime were bought. Master Wolf was engaged in making culverins, and culveriners were hired. Victuals, too, were conveyed from Arbroath.³

Hertford, reporting on his campaign, asserted "that the like devastation had not been made in Scotland these many years." Intrigue, however, was a part of Henry's practice; and, while the work of destruction was still advancing, he concluded a compact with Lennox and Glencairn which differed little from his bargain with the Solway prisoners. These two men were to cause the Word of God to be preached, to remain friends to England, to see that the queen was not conveyed away, and to aid the king in securing Jedburgh and making him director and protector

¹ Acts and Decrees (March 19, 1545).

² Acts and Decrees, *ibid.* R. M. S., iii. 3105.

³ *Rentale S. Andr.*

of Scotland. In return for this service Glencairn was to have a pension of one thousand crowns, and Lennox was to be Governor of the realm under Henry, and to marry the Lady Margaret Douglas, the king's niece.¹ In pursuance of the agreement, Glencairn attacked Arran at Glasgow, but the expedition failed and Lennox fled to England.² Apart altogether from the schemes of the two earls, a plot was devised by Sir George Douglas for the removal of Arran and Beaton from the government. The country was suffering at the ruthless hands of the English; and, as the devastation was a result of Beaton's policy, his enemies sought to reap advantage. Whatever persuasions were used, these men succeeded in attracting the queen dowager; and she certainly was above suspicion in her care for her daughter. A bond was prepared "by the nobles of Scotland to maintain the queen mother in the office of government"; and at Stirling on June 10, 1544, the intriguers suspended Arran from his high dignity for having broken, by the cardinal's counsel, the peace and marriage with England, and chose the queen mother "to use the said office of government." The decree of suspension was signed by the dowager, the prelates of Glasgow, Moray, Dun-

¹ H., xix. i. 243, 337, 522.

² Ibid., 652. Diurnal of Occurrents.

blane, and Orkney, the Earls of Angus, Bothwell, Montrose, Huntly, Cassillis, Moray, and Argyle, and the lords Maxwell, Somerville, and Erskine. Sir George Douglas also signed. A proclamation was made that the Governor was discharged; but it was useless, as only a Parliament could remove him. There was a difficulty, too, in regard to the dowager. Douglas urged that she was a woman, and therefore too weak to rule, and Angus, Huntly, Argyle, and Bothwell were selected to continue the work of government.¹ Doubtless the dowager was disappointed, and ambition to rule in her daughter's name may account for her association with men who had been her opponents. Apart from such ambition, however, she had the desire to see Arran cast down, as she had quarrelled with him. Letters were found in the ship taken off Scarborough, and while these revealed the discord with the Governor they showed that the cardinal was not involved.² But Beaton's enemies were in league with the dowager, and naturally he continued with Arran, though the lairds of Brunston and Fyvie, who were at Calais in July with messages for Henry, reported that while all was confusion in Scotland the cardinal scarcely troubled himself with the

¹ H., xix. i. 664, 673.

² Ibid., 1000; ii. 105.

government.¹ These messages were from the Master of Rothes and John Charters, and the association of names suggests that the business with Henry may have included the plot to seize or murder the cardinal.²

A definite campaign was arranged at this period. Lennox was to occupy Bute and hand over his castle of Dumbarton to the English, and Brunston and Fyvie were to follow him to Scotland. It may be assumed, therefore, that if the campaign was successful the attack on Beaton would be attempted.³ Lennox set sail for Scotland in August, and without landing on Bute passed up the Clyde to Dumbarton. The castle was held by Glencairn in the name of Lennox, and probably the captain was advised by him when he refused to surrender. Glencairn and his son Kilmaurs had deserted Henry's cause, and Lennox was "prettily deceived by the old fox and his cub."⁴ The expedition was a failure and the tragedy of the cardinal was delayed.

If Beaton took no part in the government he none the less worked energetically for his faction, and succeeded in gaining men who had been his enemies. On July 22, 1544, Rothes,

¹ H., xix. i. 756, 955.

² Ibid., 881.

³ Ibid., 813, 1015.

⁴ H., xix. ii. 186, 197, 206. *Diurnal of Occurrents*.

Gray, Glamis, and Ogilvy attacked Ruthven on behalf of Charters, for whom Beaton, according to Knox, had purchased the provostship of Perth. Ruthven was victor in the encounter, and Knox narrates that while the cardinal had rather that the "unhappe" had fallen on the other part, he thought that such trouble was his comfort and advantage.¹ Gray afterwards received lands in Forfarshire from the cardinal, but the reward was declared to be given for his defence of the Church against Lutheranism and "other execrable heresies."² Beaton and Arran met in Dunfermline, and it was reported that they were gaining "mony assisteris" in Mearns, Angus, and Fife.³ In spite of the friendly conjunction of the Governor and the cardinal, assurance was given to the dowager by one of her partisans in St Andrews that Huntly was trying to keep Beaton to the best opinion for her "affect."⁴ Glencairn, however, told her that Arran had called a Parliament for November 6, and had cited Bothwell and Douglas to answer for treason; while Douglas himself advised her to call the lords spiritual and temporal of her party to Stirling before that date, and assured

¹ Diurnal of Occurrents. Cf. Laing's Knox, i. 112 note; Hay Fleming's Murder of Cardinal Beaton, Contemp. Rev., lxxiv. 386 (for 1545 as the year).

² R. M. S., iii. 3029. Cf. Rentale S. Andr.

³ H., xix. ii. 52.

⁴ C. M. G. (Aug 20).

her that if she did not act her cause was lost, since Arran and Beaton were trying to buy off the nobles who were standing by her.¹ Persuasion, if not bribery, was being used, as was shown when Beaton wrote to Erskine of Dun, stating that he trusted to his support of Arran, asking him to influence his friends, and inviting him to St Andrews that they might journey together to the Parliament at Edinburgh.² The dowager, for some reason, was unable to forestall Arran, whose Parliament was held at Edinburgh on November 6 and following days.³ Intimation of a summons against Angus, Bothwell, and Douglas for *lèse majesté* was reported by the Queen's Advocate, and the pretended Parliament to be held at Stirling on November 12 was declared to be of no effect. It was agreed, however, that the Governor should send commissioners to Stirling to declare his desire for unity among all the queen's lieges, so that justice might be administered and they be stronger to resist the English and the thieves and traitors of the realm. The records of the parliament do not show that peace was established between the factions, though they bear that in December Angus, Bothwell, and Douglas were pardoned for treason. The Diurnal of Occurrents sets forth

¹ C.M.G. (Sept. 25 and Oct. 13).

² Hist. MSS. R., v. 635.

³ H., xix. ii. 490. A. P.

that Parliaments were held at Edinburgh and Stirling, and that "the Cardinall raid betuix thame, quha come to Edinburgh and tuke the governour to Stirling with him, quhair guid aggreance was maid, to be bund to hir grace and twentie foure lordis counsall." Further details are furnished in a "credence" sent to England on behalf of Lord Somerville and enclosed in a communication from Wharton to Shrewsbury. When the lords of the dowager's party were convened at Stirling to hold a Parliament for the deprivation of the Governor, Sir George Douglas "made a tryst between the cardinal and Governor and agreed them, without advice of the queen or any of the lords with her, and drew the cardinal to Stirling." The "credence" indicates that except the cardinal all desired peace with Henry. It is further shown in another paper that the Governor, the cardinal, and the French ambassador "spake long together in secret"; and Wharton reported that the cardinal at the Council promised to cause all the chalices, silver gear, and bells of the churches to be sold towards defence of the realm, and with bragging words put all the lords out of doubt that ere summer come they should have such aid from France as to be "able to beat Englishmen as dogs."¹

¹ H., xix. ii. 709.

The dispute of the factions which continued throughout the summer and autumn of 1544 did not involve the realm in a civil war; and when a settlement was reached Arran was maintained in office, and a Council of sixteen, with the dowager as chief, was appointed.¹ Though saved from intestine war the country suffered at the hands of the English, and "a list of exploits done upon the Scots" reveals that from July 2 to November 17 there were 192 towns and towers burnt, 403 men slain and 816 made prisoners. The "list" contains the statement, under date November 17, that Coldingham was won and kept to the king's use.² In November, immediately after the negotiations of the factions at Edinburgh and Stirling, Angus attacked Coldingham, but failed to recover it. The place, however, was of importance to the Scots, and Arran and Beaton proceeded to the South to arrange another campaign.³ In spite of their zeal they were unsuccessful; and on December 7 Shrewsbury forwarded to Henry letters showing that the Scots durst not abide the siege when the Wardens of the East and Middle Marches approached, and that Angus and George Douglas had opened their untrue hearts to their perpetual shame.⁴ The Douglasses, however per-

¹ H., xix. ii. 657.

³ Ibid., 657, 685, 692.

² Ibid., 625.

⁴ Ibid., 707.

fidious their conduct was in the eyes of the English, were acting for the time in good faith with the Governor and the cardinal, and Scotland was united. Beaton himself, in a letter to the Cardinal S. Crucis dated December 24, depicted the situation. Declaring that he shunned neither labour nor danger to preserve peace, nourish concord between the princes and pluck out heresies, he begged the cardinal to move the pope to the defence of the realm against the English. Letters which were being sent would warn his Holiness how much was due for the defence of the realm, seeing the tender age of the infant queen, the lamentable death of the king, the rage and cruelty of the enemies, and "our continual obedience to the Holy See and their disobedience."¹

The first days of the year 1545 saw the power of the cardinal unimpaired, and the union of almost all the great nobles for the security of their country, but saw also the English occupation of Scottish strongholds. By the story of one "espial" the Governor, the cardinal, and the Douglasses were in Edinburgh on January 1; and while Sir George Douglas and Beaton were very great together, Arran and Beaton had sharp words, but soon were speaking "charflie" together. According to another "espial" the

¹ H., xix, ii. 774.

cardinal, who was in attendance at a Council held after the futile attack on Coldingham, promised the French ambassador that his king should have the young queen to marry where he list, and that she and her mother would journey to France in the spring.¹ Yet at the beginning of February Cassillis was responsible for the statement that all save the Governor and the cardinal, who was looking for aid from France, favoured the English marriage and the treaty. Douglas, however, according to another report, was wondrous great with the cardinal, and had received promises of a pension from France.² The pension, if it was ever paid, was not the only aid supplied by the ancient ally. Towards the middle of February two French ships arrived in Scottish waters; and Sir George Douglas in reporting the fact to Sir Ralph Evers protested that he was innocent of any crime to the English king and always remembered the honour and gentleness shown to him by so royal a prince. At the same time he informed Evers that "a gentleman called Lacrois" had brought the order of France and 40,000 crowns to the Governor, and also that Captain Lorges de Montgomery was to sail to Scotland in March with 6000 men and carry with him 400,000 crowns, while 40,000 men

¹ H., xx. i. 5.² Ibid., 132, 174.

under the Duke of Guise would land in England.¹ The sum remitted by Lacrois was useless for the equipment of an army, but the cardinal trusted that substantial aid would arrive, and enable the united forces of the Scottish lords to drive out the English from the land. He and the Governor and many of the most powerful nobles were together in Edinburgh on February 15, 1545, and Shrewsbury heard from Robin Ker that if they agreed they would "quarter Scotland and send to the Borders." An edifying spectacle was witnessed on that day. The dowager attended mass in the Church of Holyrood, and as she knelt the Governor, the cardinal, Montrose, Argyle, Glencairn, the Earl Marischal, and Bothwell stood by. Yet these men were not all united, as Glencairn, asked "in his ear" by Pate Graham whether he would be true man or false, answered that he would be true and keep any promise he had ever made to the king. Angus, too, told Graham that whereas he was called the king's foe, he loved the king best of all men, and if Lennox would obtain a truce for two months to commune with his friends in Scotland he should be made chief ruler in the land.² No man could bind the Scottish nobles into one honourable company for the disinterested defence of the realm, and the cardinal, though he was the

¹ H., xx. i. 202.² Ibid., 210.

astutest man in the country, was a churchman, and at most the leader of an inconstant faction. In the early months of 1545, while there was no open discord among the nobles and prelates, the English were occupying many of the strong places in the southern counties.

In the hope of rousing the Scots to action, the Governor proceeded to Lauder on February 23, where all "maner of man" had been summoned; but those whom he addressed would not respond, because the Douglasses who were with him were "ever false." Yet on Ancrum Moor, on February 27, the English were defeated, and Angus, moved perhaps by the burning of Melrose with the tombs of his fathers, aided the Governor in his victory.¹ Sir Ralph Evers and other leaders of the English army were slain. On the field of battle, amidst the dead, Angus asked the Governor if he were merry, and the Governor answered, "My lord, I am much the merrier for you," and taking Angus about the neck and kissing him, said that he repented having ever mistrusted him, who had that day done so much for Scotland. Whereunto Angus replied that God knew his loyalty to his native country.² The victory at Ancrum gave cheer and hope to the Scots, and towards the middle of March, the Governor, the cardinal, and other

¹ Diurnal of Occurrents.

² H., xx. i. 301.

lords assembled in Edinburgh and issued a proclamation that all between sixty and sixteen should be ready upon twenty-four hours' warning to proceed to the Border, while all freeholders were to gather on March 30 at Edinburgh. Shrewsbury learned from one of his men that the Governor, Angus, and the rest were content to refer all causes to the dowager, the cardinal, and George Douglas, so that the cardinal and George Douglas ruled Scotland. He heard also that two French ships had reached Leith with artillery, gunpowder, and "money to fee wagers with." Another of his men informed him that there was then no suspicion of Angus and Douglas, as they and the cardinal went the same way.¹

Henry, though successful in his work of devastation in the south, failed altogether in forcing the Scots to sue for peace. Engaged as he was in a war with France which was taxing his resources, he could not afford to send men and expend money to subjugate Scotland, and he was compelled, therefore, to turn to diplomacy. He resolved to employ Cassillis, who was one of the Solway prisoners. The earl had entered into the agreement concluded in the Rood Chapel, and later had allied himself with the dowager against Arran; but Henry

¹ H., xx. i. 355, 382, 385.

ordered him to return to England, though he was aware of his double-dealing, and threatened, as a penalty for disobedience, to put to death his two brothers and his uncle whom he held as hostages. Knowing that Henry might act on his threat, Cassillis returned to England, and after receiving instructions was sent to Scotland. On March 29 he reached Edinburgh, and two days later, at an interview with Arran, Beaton, Angus, Glencairn, and the Earl Marischal, he informed them that he had been with Henry, and was ready to "declare the matter." Arran and Beaton replied that they would not enter on such great business till the dowager, Argyle, and Huntly were present, and by agreement April 15 was chosen as the day for a meeting. To the Douglasses and others Cassillis showed that Henry would be satisfied with the former treaties if securities were given, and to the king himself he sent word that Lorges de Montgomery was expected to arrive in April with 6000 men.¹ News of the succour reached Beaton. In a letter, dated April 12, De Mollins assured him that Montgomery was ready to set sail, and at the same time he addressed him in regard to a benefice in Mirepoix. He went on to say that an interview with the French king had been procured for Dr Hillot (Hilliard?),

¹ H., xx. i. 279, 477.

the Cardinal Pole's servant, on whose behalf Beaton had spoken. Advising Beaton to work his matter wisely and secretly in Ireland and England, to which countries the French king had sent secret writings, he proceeded to speak of a marriage "with the emperor," in reality the marriage of the young queen with a son of Ferdinand, King of the Romans.¹

The Scottish Lords assembled, and on April 20 Cassillis obtained an audience. Matters, he reported to Henry, "are so handled by the queen, Governor, cardinal, and other great men, who defer the king's purpose for their own profit, that those who favour the peace and marriage think his Majesty should at once invade this realm with a puissance sufficient to give surety to Angus, Douglas, the Earl Marischal, and others who favour his purpose, otherwise it will be said that he is unable to keep promise, as indeed his enemies say here already. . . . The kindness between the Earl Marischal and George Douglas and the cardinal is past, since they perceive him contrary to the peace and marriage." ²

The laird of Drumlanrig, in a "credence"

¹ H., xx. i. 508. Cf. 652. About this time Beaton was asked to confer certain Scottish benefices (*ibid.*, 516, 615). He himself received a royal grant of land, and resigned certain lands to his son David (R. M. S., iii. 3105, 3108, 3137). Appendix XXI.

² H., xx. i. 547.

forwarded on May 5 to the Lord Warden of the West Marches, announced that "their late convention agreed to perform the marriage of their queen and all other covenants with the king, and to send to the king for safe-conduct for an ambassador to sue for peace and accomplish the covenants. Next day that determination was broken at the device of the dowager and cardinal, who considered that the marriage and peace would put them out of credit with the French king, and detract from their authority both in France and Scotland, and so persuaded the Governor, Argyle, Huntly, and their adherents, to sue for no peace and perform no covenants, putting both the Governor and Argyle that their sons should marry the queen. . . . The cardinal and dowager have devised that the French king shall send Lorgy Montgomery to aid the realm, upon whose arrival the dowager and queen shall be conveyed to France. . . . The Governor, dowager, and cardinal envy Cassillis, and would have put him in ward if he had not left Edinburgh betimes."¹

Cassillis was not successful in his mission, and Scotland under Beaton's influence did not yield to the sovereign who demanded the treaty of peace which his own rash policy had de-

¹ H., xx. i. 664.

stroyed. But a Scotsman, a cardinal of the Church though he was, could not be suffered to outwit the King of England, who had not exhausted the devices of revenge. Murder would silence the priest, but it would not be fitting that a king should seem to be trafficking in crime. Henry did not revive the plan of murder, and yet his mind must have been known to Cassillis, when, perhaps out of revenge for his own failure in Scotland, he suggested that the enemy should be removed. On May 30 the English Privy Council, in a communication to Hertford, intimated that Henry had seen a letter from Cassillis to Sadler, containing an offer to kill the cardinal. That offer was not refused with contempt or hearty scorn, and the Council in carefully chosen words intimated that "the king reputing the fact not meet to be set forward by him, and yet not misliking the offer, thinks that Sadler should write to Cassillis that it does not seem meet to be communicated to the king, but that if he (Sadler) were in Cassillis' place, he would do what he could for its execution, thinking thereby to do the king acceptable service and to benefit Scotland."¹

Towards the end of May the French force, so long delayed, sailed up the Clyde. The leader, Lorges de Montgomery, had with him

¹ H., xx. i. 834.

money for Arran and Douglas, and the order of the "coclee" and a collar of gold for Angus. It was reported by an "espial" that the cardinal was letting it be known that Montgomery had brought with him 3000 men and 500 horsemen, 300,000 crowns, and great rewards for all good Scots, and also 100 men to wait upon the Governor at the French king's cost. The cardinal was saying, too, that a great number of galleys of the French king, the Bishop of Rome, and the King of Denmark were on the sea to invade England.¹ Angus and Douglas did not refuse the gifts, and yet were expressing to Hertford their willingness to advance the peace and the marriage, and were receiving assurances that Henry would forget their offences.² Early in June the Governor and the cardinal, with other lords, went to Glasgow to welcome the Frenchmen, and on the 24th a convention met at Stirling. Two days later, when the convention heard that Montgomery was ready at command, a declaration was made, to which fifty-four signatures were attached, that since the King of France had shown such friendship all were ready to do their utmost to defend the realm or to invade England. Angus,

¹ Diurnal of Occurrents. H., xx. i. 887, 909, 924. On the order of the Cockle cf. Laing's Knox, i. 217, note.

² H., xx. i. 857.

Huntly, Argyle, Rothes, and Glencairn were chosen to sit with the dowager, the Governor, and the cardinal to conclude upon the war.¹ A proclamation was issued that all men between sixty and sixteen should assemble by July 28 on Roslin Moor. Certain lords, of whom the cardinal was one, were appointed to "counsel" the Governor, and it was ordained that no gifts should pass without the consent of certain lords, and among these the cardinal must always be included.²

In spite of the declaration with its fifty-four signatures, of which, however, he knew nothing, Hertford hoped to increase the suspicion between the factions of the Governor and Angus, and his servant, Thomas Foster, found opportunity to talk with Sir George Douglas after his return from the Council. Douglas professed to be willing as ever to help the king, and asked that Hertford should be told that if the king promised a good reward to have the cardinal dead "that adventure would be proved." He asserted that the cardinal was thought the only occasion of the war, and was smally beloved.³ Beaton, ignorant of the latest phase of the Douglas treachery, wrote on July 6 to Pope Paul III., giving an account of the country. Knowing, he

¹ H., xx. i. 1027, 1049. A. P.

² Ibid., 1059, 1063. A. P.

³ Ibid., 1052, 1106.

said, the pope's desire for frequent news of the realm, he took opportunity to assure him that things were better than they had been, as the quarrels of the nobility were appeased and heretical opinions almost extinguished. It was necessary to repress the audacity of the English, and, when the most Christian king of the French sent 500 horse and about 2500 foot under the Seigneur de Lorges, the nobility met at Stirling and decreed that a great army should be assembled. He himself would promote the expedition both with counsels and person, and he trusted that the army would carry off the victory.¹ On the same day the cardinal wrote another letter to the pope on a matter of jurisdiction. The narrative shows that the Archbishop of Glasgow caused a scandal by having his cross borne, and blessing the people, while the cardinal was present in Glasgow with the queen and Governor. Not to excite a tumult the cardinal refrained from punishing the audacity, but admonished the archbishop to desist, who, however, not observing his promise to the Governor not to bear the cross, made an attack with armed soldiers upon the cardinal in the Church of Glasgow. For that and former misdeeds the Governor there and then would have punished the archbishop, but the cardinal begged

¹ H., xx. i. 1126.

him to refer the matter to his Holiness. The Bishop of Orkney and the Abbot of Dunfermline were appointed to examine witnesses of the crimes with which the archbishop was charged, and the depositions were sent in order that his Holiness might provide a remedy.¹ The dowager also wrote to the pope on the matter of the dispute,² and Knox has left in his 'History' a graphic description of the priestly contest. He explains that Beaton as cardinal, *legatus natus*, and primate claimed pre-eminence, while Dunbar, as archbishop in his own diocese, and in his own cathedral seat and church, thought that he should give place to no man. "Cuming furth (or going in, all is one)," Knox narrates, "at the qweir doore of Glasgw Kirk, begynnnes stryving for state betuix the two croce beraris, so that from glowmyng thei come to schoudering; from schoudering thei go to buffettis, and from dry blawes, by neffis and neffelling; and then for cheriteis saik, thei crye, *dispersit, dedit pauperibus*, and assayis quhilk of the croces war fynast mettall, which staf was strongast, and which berar could best defend his maisteris pre-eminence; and that thare should be no superioritie in that behalf, to the ground gois

¹ H., xx, i. 1127.

² Cf. Robertson's Statuta, i. 130-1. The editor gives valuable information in reference to the question of precedence.

boyth the croces. And then began no litill fray, but yitt a meary game; for rockettis war rent, typpetis war torne, crounis war knapped, and syd gounis mycht have bene sein wantonly wag from the one wall to the other: Many of thame lacked beardis, and that was the more pitie; and tharefore could not bukill other by the byrse, as bold men wold haif doune. Butt fy on the jaikmen that did nott thare dewitie; for had the one parte of thame reacountered the other, then had all gone rycht. But the sanctuarye, we suppose, saved the lyves of many."

The controversy regarding the bearing of the cross had been of long standing. When in Dumfries in 1539 Beaton, in reply to a protest, admitted the exemption of Glasgow from St Andrews, and explained that the cross had been carried before him as primate, and the ceremony in no way affected the rights of Glasgow. The dispute was not ended, as an instrument was executed on Palm Sunday 1544 in the choir of Glasgow Cathedral before the high altar. The archbishop protested that the carrying of Cardinal Beaton's cross in the Metropolitan Church of Glasgow, or in the diocese or province, could not be permitted; and the cardinal courteously replied that he did not carry his cross or give benediction within the church to the pre-

judice of the papal exemption, but solely by the goodwill of the archbishop himself. Bishop Lesley assigns the incident of the breaking of the crosses to the period of the arrival of the Patriarch of Aquileia, but the cardinal's letter to the pope, dated July 6, 1545, shows beyond doubt that there was a scene of scandalous rivalry in that year.¹

In July 1545, another scene was added to the "Tragedy of the Cardinal." Hertford, Bishop Tunstall, and Sadler received letters in cipher from Brunston which were addressed to the king and Sadler. Brunston "touched the killing of the cardinal," but as the king would "not seem to have to do in that matter" it was arranged that Sadler, who had written to Cassillis on the subject but had received no answer, should reply. He informed Brunston that he noted the offer of certain gentlemen his friends to take out of the way the "worker of all your mischief" and principal impediment of all good purposes, if assured that the king would reward them. He judged that Brunston meant the cardinal, who was so blinded by affection to France as to condemn the weal of his own country, and thought with him that it would be an "acceptable service to God to take him out of the way" who does so much

¹ Cf. Dowden's 'The Bishops of Scotland,' 346-347.

to obscure God's glory and confound the common weal. Albeit the king would certainly not meddle with the matter, it would be a service to God and his majesty and a benefit to the country which Sadler would, if in Brunston's place, earnestly attempt; and he advised Brunston to move the gentlemen to do it, and they might be sure that the king would liberally reward them. If the thing depended only on the amount of the reward, he begged to know what they required; and, if it was reasonable, he undertook that it would be "paid immediately upon the act executed." The root of all their misery removed, their country would "soon flourish with God's Word and His truth, and many good purposes would take effect." Sadler was careful to show that he wrote of his own fantasy, as one that would be glad to give advice. He asked to be commended to Sir George Douglas, who appeared to be of the same opinion touching the cardinal, and who might be shown, with Cassillis, what he had written.¹ The letter was not dictated by Henry, but Sadler knew the mind of his master; and the writer himself discussed the slaughter of a man in deliberate and calculated terms, and dealt with criminals willing to send to death, for the sake of money about

¹ H., xx. i. 1177, 1178.

which they were haggling, the most illustrious defender of their country's liberty. The plot was to develop and the cardinal to be slain, but the time for the final scene had not then come.

After the convention at Stirling, Beaton proceeded to Linlithgow to attend to the preparations for the war, and his chamberlain took charge of the arrangements for the household. Food was at a famine price. Wheat was shipped to Blackness and Dunbar and sold for the support of the lieges. A cargo of supplies fell into the hands of the men of Crail, and the cardinal, who was duly informed of their daring in retaining it, made them pay in due time.¹ In spite of his zeal and careful preparations the military campaign was to be a complete and ignominious failure. The Governor had appointed July 28 as the day of assemblage on Roslin Moor; but according to the *Diurnal of Occurrents* the expedition was delayed till August 6, as Argyle had not appeared. On August 9, the Governor with 30,000 men, among whom were 3000 French, crossed the Border, and destroyed a few small towns, doing no other thing "to their lak and greit dishonour." "Upon the 13th day of August the Scottish

¹ *Rentale S. Andr.* On July 8 the Lords of Session ordained all courts to be continued to the next court day after Michaelmas.

men came home through the deceit of George Douglas and the vanguard," in which were Angus, Glencairn, Cassillis, Gray, and Glamis. It is related by Knox that the cardinal's banner was displayed "and all his feeallis was charged to be under it. Many had befoir promissed, but at the poynt it was left so bayre, that with schame it was schut up in the pock againe, and thei after a schaw returned with more schame to the realme then skaith to thare ennemyes." The cardinal, however, had not joined the expedition, though he advanced £600 for taking artillery to and from the Border.¹

Undoubtedly the Douglasses were responsible for the retreat of the army, and they sought to obtain credit from Henry for what was treachery to their country. Angus wrote to Hertford, "this last journey of ours was devised by the queen, cardinal, and Lorge Montgomery. Huntly fortified it at his power; and yet all the device was stopped by us, the king's friends."²

Freed from the danger of a French attack by the changes of international politics, Henry once more commissioned Hertford to enter Scotland, and on September 9 the relentless Englishman was at Kelso.³ The Douglasses and Cassillis had desired to know the time of his

¹ T. A., viii. 401. H., xx. ii. 194.

² H., xx. ii. 144.

³ Ibid., 347.

arrival that they might advise him; and Sir George Douglas sent a private message that although he and his friends should be with the Governor he would, when the armies approached each other, give the onset upon the Governor and show himself the king's true subject.¹ The action of the Douglasses revealed their persistent treachery and marked the disunion of Scotland. Hertford throughout his new campaign was never opposed by a great Scottish army, and with barbaric vigour he destroyed wherever he went. Never, as they themselves confessed, were the Scots "so burned, scourged, and punished." Towns and villages were left desolate, and religious houses were cast down. The magnificent abbeys of Coldingham, Dryburgh, Kelso, Melrose, and Jedburgh were ruined by the ruthless Hertford, working the will of the English monarch and abetted by the faithless Douglasses and their perfidious allies. Arran and the cardinal were powerless, as the army which crossed the Border to invade the enemy's country and performed trifles had been disbanded. The Frenchmen were still in Scotland, but in Knox's words "that wynter following, so nurtored the French men, that thei learned to eatt (yea, to beg) caikes which at thare entrie thei skorned. Without jesting,

¹ H., xx. ii. 329, 360.

thei war so miserable entreated, that few returned to France agane with thare lyves."¹ The Frenchmen were discontented with their pay, and some of them surrendered and offered their services to Hertford.² The English Privy Council wished them to be told that Henry thought it scarcely good policy to credit any man of their nation, and to be advised first to do some notable displeasure to the enemy, such as "trapping or killing of the cardinal, Lorges, the Governor, or some other man of estimation."³ Murder again found a place in the English policy.

Sir George Douglas, not satisfied that the devastation should be confined to Teviotdale and the Merse, advised that armies should march from Berwick and Dumbarton and meet at Stirling. The campaign, he thought, should be carried out before help came from France, and Lennox should be with the army in the West, where he was loved, and the Governor and cardinal hated.⁴ Montgomery himself, according to the Diurnal, sent men at his own expense to the Merse and Teviotdale, but no further help was received from the French, though the Scots appointed an ambassador to proceed to France and arrange for the defence of the country during the

¹ Cf. *Rentale S. Andr.* for supplies furnished by the cardinal.

² *H.*, xx. ii. 308.

³ *Ibid.*, 328.

⁴ *Ibid.*, 414.

winter.¹ The Scottish Privy Council caused a proclamation to be made in the shires of Roxburgh and Berwick that all should rise at "frays and followings," seeing that divers lieges of the Merse and Teviotdale "sits under the assurance of England and rises nocht nor concurs with others."² In one of his dispatches Hertford stated that the Scottish army never exceeded 6000, including Frenchmen, and that the Scots and French were weary of each other. He declared that Lorges wished himself in France, and added that "the plague reigneth extremely in sundry parts of Scotland."³

The autumn of 1545 was an unhappy time for Scotland, with the enemy in her midst, the opposition of the factions renewed, and the plague scattering death. Beaton, writing on October 5, explained to the King of France that soon after the Scottish host was dispersed Henry sent a powerful army, which spoiled some of the frontiers and pillaged and burned some abbeys. Thereupon the Governor gathered men, with Mons. de Lorges and his troops, to resist the enemies; but, as the army had been newly withdrawn and the English remained only about eight days, it was impossible to assemble soon enough to fight them.⁴ The Diurnal states that on September 12 the Governor had 10,000 men

¹ H. xx. ii. 493.

³ Ibid., 524.

² Ibid., 500.

⁴ Ibid., 525.

at Greenlaw, but through the counsel of the Earl of Angus they "skalit" and went home. Another instance of treachery is chronicled. On October 24 the Lord Maxwell delivered Caerlaverock to the English, "quhilk was greit discomfort to the countrie."

The Scottish Parliament met at Linlithgow on the first day of October and dealt with a charge of treason against Lennox and his brother the Elect of Caithness. The cardinal for himself and the clergy protested that in regard to the Elect of Caithness, "ane spirituale man," there should be no prejudice to the ecclesiastical privilege in the process depending before him as "ordinar"; and, further, that the lords temporal were not competent to be judges over a bishop-elect. Lennox was found guilty of trafficking with the king of England in time of war and invading Scotland with the English; while the charge against the Elect of Caithness was not continued, as it was to be tried before his ordinary.¹ Thereafter the Parliament, understanding that divers and sundry lieges of the realm were sitting "under assurances" of the king of England, discharged all such assurances, ordained that 1000 men should be furnished for the protection of the Border, and decided to levy a tax of £16,000 for this purpose.

Brunston duly reported the parliamentary pro-

¹ Cf. Appendix XXII.

ceedings to Henry, and added, "The cardinal passes into France with the French king's lieutenant, their ships being already sent for, and means to bring us great supports the 'foir yere.' He labours to have the young queen in St Andrews castle, persuading the Governor that it is to keep her for his son; and the queen dowager 'makis hir angrie wythal, bot I belief she dissembles.'" ¹ Two weeks later he informed Sadler, on the authority of Sir George Douglas, that the lords had signed an agreement for the marriage of the queen with Arran's son; and the story was repeated to the dowager. ² The story was more than a mere rumour, as John Sturmius of Strassburg, in a communication to Paget, the English Commissioner at Calais, informed him that the Scots were urging the French king to approve the marriage, and that the cardinal and the Governor were said to be going to France to persuade him. Paget in due time suggested to Henry that his ships should intercept "those gallants that go into France." ³ Word was sent by one of her French friends to the dowager that Angus and Douglas were declaring that great offers had been made to win their consent. ⁴ It may be, indeed, that the cardinal was willing to arrange the union, as

¹ H., xx. ii. 535.

² Ibid., 622. C. M. G. (Oct. 21).

³ Ibid., 926, 927.

⁴ Ibid., 1018.

he was eager to hold the Governor and thwart Henry; but the queen was a child, and her marriage may have had a place in the scheme of the astute diplomatist who knew how to flatter Arran and how to escape from awkward promises.

A victory which was of little national importance was gained by the Scots in the late part of the year. Lord Maxwell had delivered Caerlaverock to the English, and after the event the Governor, the cardinal, and eight bishops and abbots held a Council, at which "never ane temporall man was." They decreed that there should be an attack on the castle on November 2, and on that day it "was left waist."¹ Lochmaben and Threave were secured; and on November 20 Lord Fleming intimated to the dowager the success of the Scots, assuring her at the same time that Arran would do nothing without her advice, and that when he had seen her he would visit Beaton in Fife.²

Except for the victories at Ancrum and Caerlaverock the year 1545 witnessed disaster after disaster for Scotland; and so thorough was the defeat of the cardinal's plans that a story was told that he and the queen of Scotland were hiding in the mountains beyond reach of attack.³

¹ *Diurnal of Occurrents*.

² *Ibid.*, C. M. G. (Nov. 29).

³ *H.*, xxi. i. 131.

As France had her own quarrel with England, her aid to Scotland was too meagre to secure a triumph; and the Scottish factions, in spite of their united action, were not reconciled. In his difficulties Beaton on December 21 intimated to the pope that he was sending communications on public and private business.¹ His messenger reached Antwerp in the middle of January 1546; and he confessed, according to Vaughan, one of Henry's agents, that he was to tell Francis and the pope that as Scotland was in great poverty she must yield unless money was obtained, and that the cardinal was in such case that if he feared not to lose "all his dignities and livings" he would soon bring his country to obedience to the King of England. "It seemeth," Vaughan reported, "if this cardinal were spoken with and well handled with fair promises by some noble and wise man he would be won."² As late as May 6, 1546, Lord Lisle intimated to the English Council that a Scottish ship sailing from France had been taken, and that it carried letters addressed to the dowager, the Governor, and the cardinal.³ No help was given, though in March the dowager was assured that money would be sent, which she and the cardinal were to use at their discretion.⁴

¹ H., xx. ii. 1020.

³ Ibid., 751.

² H., xxi. i. 82.

⁴ Ibid., 322.

Scotland, though looking to France, had need to tax herself for war purposes; but everywhere there was poverty, and even the clergy were beginning to feel the strain. The cardinal would not save his order, when the State and the Church were in danger; and in January 1546 a convention of the clergy met at Edinburgh to authorise collection of the £13,000 which the prelates had offered in the previous summer and which was gravely in arrears.¹ Within a short time the churchmen were asked to find money for the expenses of deputies to the Pope's General Council. A provincial council was summoned by the cardinal to meet in March at St Andrews, and, as he had a brief from the pope to strengthen his authority, he threatened the Archbishop of Glasgow and such as would not attend with excommunication, suspension, and interdict. It appears that a tax of £2500 was imposed; but no account of the council has been preserved, and it may be that the tax was the only business, or that the proceedings were suspended for the trial of George Wishart.² A letter of the period throws a kindly light on the character of the man who sent heretics to

¹ *Rentale S. Andr.* xlix. : Robertson's view of the work of the convention ('*Statuta*,' i. 144) requires modification.

² Robertson's '*Statuta*,' i. 145 : cf. Appendix to the Preface, xxi., xxii. : the details of the assessment are preserved in a collection of taxations, mostly in Lauder's hand (Register House).

the stake. A woman, whoever she was, writing from Edinburgh to the dowager on February 12, made reference to prisoners in the castle, and showed that the cardinal, while protesting that he was not bound to speak for their release, had promised to do what he could to please her.¹

The Diurnal of Occurrents records that a General Council was held at St Andrews, and there George Wishart was burnt, and no other thing done. In spite of Beaton and the churchmen the reformed doctrines had spread. Arran, before his appointment as Governor, professed Lutheranism, and two ministers were included in his household. Under his presidency the Parliament of March 1543 enacted that it should be lawful for lieges to have the Old and New Testaments in the vulgar tongue, and Henry submitted to him a scheme for the demolition of the monasteries, and did not fail to advise regarding the share of the lands which Arran, the nobles, and even the bishops might obtain.² Sir Robert Richardson, a priest, was sent with letters to the Governor, who received him with favour, and for some reason sent him to the cardinal. Perhaps he thought that Beaton might be led to declare what portion of the Church's goods should fall to himself. In the end Richardson had to flee

¹ C. M. G. ; Appendix XXIII.

² H., xviii. i. 364.

on account of the malice of the cardinal, who was incensed against him for his preaching and his zeal for England.¹ After the Governor's return to the Church, the Parliament in December 1543 required the prelates to proceed against the heretics, who were increasing in the realm, and certainly there was cause for the churchmen to be alarmed. In Dundee the houses of the Black and Grey friars had been spoiled, Lindores Abbey had been attacked, and the destruction of the Blackfriars Monastery in Edinburgh had been attempted.² Grimani, who visited Scotland in 1543, as has been noted, declared that but for the interposition of God the country would soon be in the condition of England. Beaton himself was not slow to obey the orders of the Parliament. Early in 1544 he made a pilgrimage of inquisition, and, as tradition tells, witnessed at Perth his victims' death. Henry may have been the quickening spirit that wrought for the Reformation in Scotland in 1543, when the "English prisoners" were obedient to his will; or it may have been that the ecclesiastical changes in England and the religious events in Germany cast a spell over many Scotsmen, turning them away from

¹ H., xviii. i. 478, 696; ii. 392. A very interesting 'Exegesis in Canonem Divi Augustini' by "Robertus Richardinus" was published at Paris in 1530 (College of St Leonard, 87).

² H., xviii. ii. 128.

the Church. Yet Henry, in any case, with his clumsy attack on Scottish freedom, and his sinister dealings with his prisoners, hindered the Reformation which he may have desired in sincerity and truth; and Beaton, in spite of his cruel treatment of heretics, saved his Church from destruction, because he was the incorruptible defender of his country's independence.

George Wishart was the last of the cardinal's victims. Under suspicion of heresy, he had fled from the country, and after a sojourn in England had passed to Germany and Switzerland. He was again in England in 1543; and Emery Tylney, who was his pupil in Cambridge, narrates that "he went into Scotland with divers of the nobility that came for a treaty to King Henry the Eighth."¹ Knox says that "in the myddest of all the calamities that came upoun the realme after the defectioun of the Governour from Christ Jesus came in Scotland that blissed Martyre of God Maister George Wisharte in company of the commissioners befor mentionat, in the year of God 1544." Tylney and Knox agree that Wishart joined the commissioners, and it may be supposed that he returned to Scotland, fearing no persecution while the Governor was professing the reformed doctrines. Knox, however, when mentioning the

¹ Laing's Knox, i., Appendix IX.

year 1544, speaks of the calamities following the defection of the Governor; and it is obvious that Wishart did not journey with the commissioners, if he arrived in the midst of these calamities. The date is of importance, as it may be concluded that if he did not reach Scotland till 1544 he was not the Wishart who was the bearer of the Brunston letter suggesting the murder of the cardinal. Wishart, in the estimation of Knox, was "that blisshed martyre of God," but more than one writer in recent times has identified him with Brunston's messenger. There is, however, nothing more than the name to suggest the identification, and, as it cannot be shown that Wishart was associated with the conspirators, his saintly reputation may not be defamed.¹ In Dundee, whatever the date of the visit was, Wishart taught the Epistle to the Romans "till that by procurement of the Cardinall, Robert Myll, then one of the principall men in Dundye . . . gave in the Quenis and Governoris name inhibitioun to the said Maister George that he should truble thare toun no more." Leaving Dundee the preacher visited the west-land, where he laboured "till that the Bischop of Glasgw, Dunbar, by instigatioun of the Cardinall, came

¹ Cf. Tytler's 'Life of Sir T. Craig,' Appendix I. Roger's 'Life of George Wishart.'

with his gatheringis to the toune of Ayr, to mack resistance to the said Maister George." Protected by the Earl of Glencairn he remained for a time with "the gentilmen in Kyle," but hearing of the pestilence in Dundee he returned to the town in order to minister to the faithful.¹ In his own graphic style Knox records that while Wishart was comforting the afflicted the devil ceased not to stir up his own son the cardinal, who with money corrupted a desperate priest, Sir John Wygtoun, to slay the said Master George.² The horrid deed was not accomplished, though one day the priest waited for him, with a drawn sword under his gown. "My friend, what would ye do?" Wishart said, taking the sword from him, and the man falling at his feet confessed the truth.

Knox has still another tale to tell of the cardinal's evil intent. From Dundee Wishart passed to Montrose, where he divided his time between preaching and private meditation; and while he was so occupied "the Cardinal drew a secreat drawght for his slawchter," and caused a letter to be written, as if it had been from his most familiar friend, the laird of Kynneir, "desyring him with all possible diligence to

¹ Beaton presented meal to some poor people in Fife suspected of having the plague (Rentale S. Andr.).

² Wygtoun had been the cardinal's prisoner (cf. Rentale S. Andr.).

come unto him, for he was strickin with a suddane seekness." Beaton then commissioned three score men with swords and spears to lie in wait for him, within a mile and a half of Montrose. The letter was duly delivered, and Wishart made haste to go to his friend; but when he had passed out of the town he suddenly stopped, saying, "I will nott go: I am forbidden of God: I am assured there is treasone." Some of his companions went forward and found the armed men, and when he heard of their discovery he answered, "I know that I shall finysh this my lief in that blood-thrusty manis handis; butt it will not be of this maner." Leaving Montrose he proceeded to Dundee and Perth, and journeying through Fife reached Leith, where he expected to meet Lord Cassillis and the gentlemen of Kyle and Cunningham. His friends, learning that the Governor and the cardinal were to visit Edinburgh, kept him from time to time at Brunston, Longniddry, and Ormiston. He preached at Inveresk, where many heard him, and among these was Sir George Douglas. At the close of the sermon Douglas said openly, according to Knox, "I know that my Lord Governour and my Lord Cardinall shall hear that I have bein at this preaching. Say unto thame that I will avow it, and will nott onely manteane the doctrin that I have hard, bot also the persone

of the teachare to the uttermost of my power." In Haddington, where Wishart preached, the audience was so small that many wondered; and it was believed that the Earl of Bothwell, by procurement of the cardinal, had given inhibition that under the pain of his displeasure the people should not hear him. From Haddington, after foretelling plagues for its contempt of the messenger of God, he went to Ormiston, and there was seized by the Earl of Bothwell, "made for money bucheour to the Cardinall." With him, when he was taken, were the lairds of Ormiston and Brunston, and the young laird of Calder. Ormiston was told by Bothwell that it was vain to resist, as the Governor and the cardinal were approaching.¹ Knox adds that "indead the cardinal was at Elphinstone, not a myle distant from Ormestoun." Bothwell promised upon his honour that Wishart, if delivered to him, would be safe, and that it would pass the power of the cardinal to do him harm; and to Wishart himself he said, "neyther shall the Governour nor Cardinall have thare will of yow." The fair words proved false. The Privy Council required Bothwell to deliver his prisoner to the Governor,² though Knox alleges that "the cardinall gave

¹ In the Diurnal of Occurrents it is stated that on January 16 the Governor and the cardinal passed to Ormiston. No mention is made of Bothwell seizing Wishart.

² H., xxi. i. 88.

gold, and that largelye." Wishart was taken to Edinburgh Castle and afterwards removed to the sea-tower of St Andrews Castle.¹ Knox proceeds to say that "the Cardinall delayed no tyme, but caused all Bischoppis, yea, all the cleargy that had any preheminance, to be convocat to sanctandrose against the penult of Februare, that consultatioun mycht be had in that questioun, which in his mynd was no less resolved than Christis death was in the mynd of Caiaphas; butt that the rest should bear the lyek burdein with him, he wold that thei should befor the world subscribe whatsoever he did." Buchanan narrates that Beaton requested the Governor to supply a criminal judge to pass sentence, if the clergy found the accused guilty; and that at the instigation of Hamilton of Preston the Governor suggested the postponement of the trial till he and Beaton should speak together. Further, Arran declared he would not consent that the prisoner should suffer without inquiry into his case, and if Beaton would not agree the blood should be on his head. The cardinal replied that he had written, not judging the Regent's authority of any consequence, but desiring for form's sake his name to the sentence.

¹ A sum of twenty-six shillings and eight pence was paid to a servant on horseback to carry letters from the Governor and the cardinal to the captain of the castle and the provost of Edinburgh (Rentale S. Andr.).

Upon the last day of February, according to the story given by Knox, the dean of the town was sent by the cardinal to summon Wishart to appear for trial: on the following day the cardinal's armed men conducted the bishops to the Abbey Church, and the captain of the castle conveyed "Maister George." After a sermon by Dean John Wynram the prisoner was compelled to hear his accusation and articles. A charge of eighteen counts was preferred, relating to the sacraments, saints, purgatory, and the marriage of priests. Wishart appealed to "ane indifferent and equall judge," and the official accuser, John Lauder, answered, "Is not my Lord Cardinall the secund persone within this realme, Chancellor of Scotland, Archibischope of Sanctandross, Bischope of Meropose, Commendatour of Abirbrothok, Legatus Natus, Legatus a Latere?" And so reciting, Knox says, as many titles "of his unworthy honouris as wold have lodin a schip, much sonare ane asse," Lauder asked, "Is not he ane equall judge apparentlye to thee? Whome other desyrest thow to be thy judge?" Wishart in his defence claimed that his teaching was in harmony with the Bible, and that he was free to deny all doctrines not founded on the Scriptures. Resolute throughout the trial, he made no attempt to save himself by sacrificing the truth, and mercy was not displayed by his

accusers. Knox narrates that the sons of darkness pronounced their sentence, and the Lord Cardinal caused the tormentors to pass with the meek lamb to the castle, till the fire was made ready. On March 1 Wishart was burnt at St Andrews,¹ and Knox reports that the cardinal, dreading that the condemned man might be taken away by his friends, commanded the ordnance of the castle to be directed against the place of execution. Buchanan shows that opposite that place the windows and battlements of the castle were covered with tapestry and silk hangings, on which pillows were set, whence the cardinal with his associates might enjoy the spectacle of an innocent man's sufferings and receive the congratulations of the crowd, as the authors of an illustrious exploit. In the historian's narrative the martyr prophesies "that he who now so proudly looks down upon me from his high place will within a few days be as ignominiously thrown over, as he now arrogantly reclines." It is told by Lindesay of Pitscottie that Wishart revealed to the captain of the castle that he had seen a great fire on the sea which came upon the city and broke asunder on the earth, and that

¹ Laing's Knox, i. 144, note. March 28 is the date given in the *Diurnal of Occurrents*. Bishop Lesley speaks of the beginning of March and of Lent, though Easter fell on April 25. Knox says that Wishart was put upon the gibbet and hanged and then burnt to powder.

he beheld in the vision a portent of the wrath of God which would fall shortly on the wicked man, the lord of the castle, and on the city.

Beaton, according to Buchanan, was highly extolled by his own party as one who, when others were stupefied, had accomplished a great action in spite of the Regent's authority, checked popular insolence, and defended the clergy; and it was freely said that if the Church in former years had secured such defenders of her dignity she would have held all in subjection by the strength of her own majesty. It is evident now that the cardinal and those who applauded him were not wise in their day and generation. Wishart had attracted many pious men to the cause of the Reformation, and his merciful care of the afflicted was remembered. In contrast with him stood the cardinal as a ruthless persecutor. Patriot though Beaton was, the supporters of the Reformation saw in him the enemy of the saints. There were others, too, who while they praised him for his defence of the independence of the realm, mourned that by his policy ruin and devastation had fallen upon the land. And these men witnessed the champion of their political freedom pursuing with relentless severity, and at last crushing with pitiless cruelty, the advocate of religious liberty. Moreover, in conduct and manner the judge and the accused were

divided, and he who kept himself from evil was consigned to the flames. In the temper of the nation the cardinal's prosecution of Wishart was at the least a gross blunder in public policy.

Knox betrays strong passion in his account of Beaton's treatment of Wishart, and, though he himself did not suffer persecution at the hands of the cardinal, he was intimately associated with Wishart in Lothian and witnessed the zeal of the oppressor. Wishart's connection with Cassillis, Brunston, and Douglas, who had been involved in the plot for the murder of the cardinal, might seem to explain the great prelate's animosity. Yet Wishart's acquaintance with these men was formed towards the close of his career, if evidence in place of conjecture is to be trusted; and but for his name he would not have been suspected in modern years of complicity in a mean device of assassination. It is enough for the historian that, as Wishart was the most noted preacher of the Reformed doctrines, and, therefore, was accounted a dangerous enemy of the Faith, the representatives of the Church, with intent to silence him and rebuke his supporters, required his removal.

Shortly after the burning of Wishart the cardinal passed to Forfarshire to celebrate the marriage of his daughter with the Master of Crawford. In an earlier year Thomas Maule

was affianced to one of Beaton's daughters, "bot on ane day cwmmand rydin in companie owt of Arbrothe withe King James the Fyft, the kinge did cal him asyd, quha heawin afor hard of the contract said to him, 'marie newir ane preists geat.' Quharwpone that mariage did ceas."¹ A contract, dated April 10 at St Andrews, was signed, on the one hand, by the cardinal and his daughter Margaret, and, on the other, by the Earl of Crawford and David his heir and successor in the earldom. The cardinal agreed to give as a dowry to his daughter the princely sum of 4000 marks,² and, according to Buchanan's narrative, the marriage was celebrated in Angus with great splendour, and almost royal magnificence. Lindesay of Pitscottie, varying the description, says that the marriage took place with great solemnity in Arbroath.

Margaret was not the cardinal's eldest daughter, if she was the person mentioned after Elizabeth in a precept of legitimation. In that document, dated March 5, 1531, are found the names of George, Elizabeth, and Margaret or Mariot, children of the cardinal.³ Three sons on November 4, 1539, and four on August 2, 1545, were legitimated; and it appears from a charter that

¹ Reg. de Panmure, i. 33.

² Cf. Robertson's 'Statuta,' ii. 303. Keith's 'Affairs of Church and State in Scotland,' i. 107, note. Acts and Decrees, xiii. 220.

³ Cf. Hay Fleming's 'Reformation in Scotland,' 547.

there was a daughter, Agnes, who married George Gordon of Scheves.¹ The records, including precepts of legitimation and charters dealing with lands, seem to show that Beaton had eleven sons, and that in several instances two had the same Christian name. In any case there were five sons of different names, and three daughters, if Margaret, and not Mariot, was specified in the precept of legitimation.² To the Duke of Lauderdale has been attributed the saying that there was more of Beaton's "blood running in the veins of the nobility of Scotland than of any one single man since his time."³

Some of the cardinal's children were borne by Mariot Ogilvy, the daughter, as already stated, of Sir James Ogilvy, the first Lord Ogilvy of Airlie.⁴ In the latter part of her life she resided at Melgund Castle in Forfarshire, which Beaton presented to her.⁵ It has been alleged by apologists for the cardinal that he married this Mariot Ogilvy before taking orders, and that when he entered the Church he recognised her as his mistress. There is no evidence that these two were wedded, as were Abelard and Héloïse, and

¹ R. M. S., iv. 2740.

² Cf. Hay Fleming's 'Reformation in Scotland,' 47.

³ Cf. Macfarlane's *Geneal. Coll.*, i. 10.

⁴ R. M. S., iii. 3108, iv. 2740. Macfarlane says that Mariot Ogilvy had four sons and three daughters to the cardinal.

⁵ R. M. S., iii. 2788, 3095.

there is no tale of the Scottish woman repudiating for love's sake a secret marriage. It has been said, too, that she died before Beaton was a priest; but, apart from Knox's statement that she was in St Andrews Castle on the night before the murder, it can be shown that she lived for many years after that tragedy.¹

Chambers in his 'Pictures of Scotland' asserts that Beaton had six daughters, besides sons, and that almost all these were borne by different women. The statement illustrates the evil reputation in which the memory of the cardinal has been held, and local traditions strengthen the statement. In Forfarshire especially there are many castles which legend or history has marked as the scenes of the cardinal's intrigues; and, were charity to neglect the evil stories, there remain the precepts of legitimation. Beaton was not the worst offender against morality who could be named in Scottish ecclesiastical history; but he was archbishop, primate, legate, and cardinal, and the majesty of his position made glaring his sin, gave his enemies an opportunity to revile, and left his friends with no excuse to plead on his behalf.

Knox narrates that after the death of Wishart men of great birth, estimation, and honour avowed at open tables that the blood of the

¹ Cf. Laing's Knox, i. 174, note.

martyr should be avenged; and of these John Leslie, brother of the Earl of Rothés, spared not to say that his “whingar” and his hand “should be preastis to the Cardinall.” Beaton, however, had entered into bonds of man-rent with some of the most powerful nobles, and trusted in them and to the strength of his castle. But he was no coward, and did not hide himself in St Andrews. From the 8th till the 24th of May he was in Edinburgh; and on one of these days attended a meeting of the Privy Council, at which an order was issued to proceed against the men of the Merse and Teviotdale who were “sitting under assurance of England, contrary to the Act of the Parliament.” From Edinburgh he returned to St Andrews.¹ It is related by Knox that there was a rumour of a plot against him, devised by the Douglasses, which came to nought; and also that the prelate summoned the gentlemen of Fife to assemble at Falkland “the Mononday after that he was slane upoun the Setterday.” His treasonable purpose was to kill or seize Norman and John Leslie, the lairds of Grange, Leirmonth of Dairsie, and Melville of Raith. Buchanan shows that during the marriage celebrations in Forfarshire there was a report of the gathering of a fleet by the English king, and as an attack might be made

¹ Rentale S. Andr. H., xxi. i. 887.

on the coast of Fife the cardinal appointed a day for a meeting of those whose lands were near the sea. At St Andrews the cardinal had an interview with Norman Leslie¹ on a matter of private business, which, however, was not settled; and, when Leslie returned to his friends and showed them Beaton's intolerable pride, they all conspired to put him to death.² The last act of the tragedy was to be completed.

Graphic details of the murder of the cardinal are given by Knox. On Friday, May 28, Norman Leslie went to St Andrews, where he met the younger Kirkcaldy; and the two were joined by John Leslie.³ Early on the following morning, when the gates of the castle were opened and the drawbridge was let down, Kirkcaldy accompanied by six men entered and was told by the sentinel that the cardinal was still asleep. Norman Leslie and his company, while the sentinel was engaged with Kirkcaldy, passed into the court of the castle without raising suspicion; but when John Leslie and four persons with him approached "somewhat rudely," the sentinel would have drawn the bridge. The attempt to save the castle was in vain, as the sentinel's head was broken, and he was cast

¹ Leslie is described as Sheriff of Fife (A. D. C. S., Feb. 20).

² Tytler's 'Life of Sir T. Craig,' 122. Herries's *Memoirs* (Abbotsford Club), 16.

³ Cf. Laing's Knox, i. 176, note, 230, note.

dead into the ditch. The conspirators seized the keys, and were masters of the gate. Workmen, to the number of one hundred, who were repairing the castle buildings, and fifty of the cardinal's attendants, were ejected. Kirkcaldy at once took his stand at the postern, lest the cardinal should escape. Beaton did seek the door, but finding it guarded, returned to his room, and after taking his two-handed sword caused his chamber-boy to heap up boxes and other impediments. Shortly afterwards John Leslie demanded entrance. "Who calles?" asked the cardinal; and the answer was, "My name is Leslye." The cardinal cried, "Is that Normond? I will have Normound, for he is my freind," but was told that he must content himself with those who were there. With John Leslie were James Melvil, who had been familiarly acquainted with George Wishart, and Peter Carmichael, "a stout gentelman."¹ An effort was made to force the door; and, after hiding a box of gold under coals lying in a secret corner, the cardinal at length cried, "Will ye save my lyef?" Hearing the reply, "It may be that we will," he cried again, "Nay, swear unto me by Goddis woundis, and I will open unto yow." But Leslie, answering "It that was said is unsaid," asked for fire to burn the door.

¹ Cf. Laing's *Knox*, i. 176, note.

Whereupon the door was opened, and Beaton, sitting in his chair, called to him, "I am a preast; I am a preast; ye will nott slay me." The piteous appeal did not touch the hearts of the men who were bent on murder, and John Leslie struck him once or twice,¹ as did Peter Carmichael. But James Melvil, "a man of nature most gentill and most modest," seeing that the others were in anger thrust them aside, saying, "This worke and judgement of God (althought it be secreit) aught to be done with greattar gravitie." Presenting the point of his sword he continued, "Repent thee of thy formar wicked lyef, but especiallie of the scheduling of the blood of that notable instrument of God, Maister George Wisharte, which albeit the flame of fyre consumed befor men, yitt cryes it a vengeance upoun thee, and we from God ar sent to revenge it. For heir, befor my God, I protest that nether the hetterment of thy persone, the luif of thy riches, nor the fear of any truble thow could have done to me in particulare, moved nor movis me to stryk thee, but only becaus thow hast bein, and remanes ane obstinat ennemye against Christ Jesus and his holy Evangell." Having addressed his victim Melvil

¹ A dagger is preserved which is said by tradition to be the weapon with which Norman Leslie stabbed the cardinal (Hist. MSS. R. iv. 492).

struck him through the body twice or thrice with a sword; and the cardinal uttered no words save, "I am a preast, I am a preast: fy, fy: all is gone."

News of the disorder quickly reached the town, and the provost and citizens approached the castle and demanded to know what had been done with the Lord Cardinal. The dead body was shown, and they departed without *Requiem aeternam* and *Requiescant in pace* sung for his soul. The body preserved in salt and encased in lead was placed at the bottom of the sea-tower to await the exequies the bishops would prepare. "These thingis we wreat mearelie," says Knox, and does not hesitate to say that on the morning of the murder Mariot Ogilvy was seen departing from the castle by the postern. "Although the loon be well away, the deed was foully done" are Sir David Lyndsay's words.

Lindesay of Pitscottie furnishes an account of an indignity committed on the dead man, and Dempster tells of the punishment which fell upon the perpetrator.¹ The stories, however, may be nothing more than illustrations of an obscene imagination of the times. Buchanan, with an appreciation of dramatic effect, records that the

¹ Cf. Brunton and Haig's 'Senators of the College of Justice,' 71, 72.

dead body was exhibited from the window whence the cardinal had so joyfully beheld the punishment of George Wishart. In a letter written on the morning after the murder James Lyndesay, one of the "Scottish prisoners," showed that when the provost with three or four hundred men were before the castle Norman Leslie "speirit what they desirit to see, ane deid man?" Thereupon Leslie and his associates by means of a pair of sheets hung the body over the wall by the arm and foot, "and bade the people see their god."¹

One of Lord Wharton's correspondents declared that the Master of Rothes slew the Cardinal of Scotland "by treason"; and in a communication to the emperor the writer, after telling of a rumour that the cardinal was not dead but wounded, intimated that he was dead and had been killed by relatives of a man he had executed for heresy.² It is worthy of note that St Mauris, the Imperial Ambassador in France, showed to Prince Philip of Spain that the French did not hold Henry guiltless. "The principal object of this letter," he wrote, "is to report that the Cardinal of Scotland has been

¹ H., xxi. i. 948. In one version of the story the corpse was dressed "in pontificalibus" (Stevenson's 'Mary Stuart,' 69).

² H., xxi. i. 959, 1033.

killed by two of his servants, at the instigation of his Scottish enemies who are partisans of England. The French are certain that the King of England caused the murder, as he hated the Cardinal for opposing the marriage of the Princess of Scotland with the Prince of England."¹ Henry's enemy was removed by murder, and his friends rejoiced. Lord Wharton heard from a correspondent that he was about to visit Lord Somerville, "qha wyll be blythe off ye Cardenallis ded."² Gladness was confessed by Sir Anthony Browne, Henry's Master of the Horse, that the king was rid of such a cankered enemy as the cardinal; and Bishop Thirlby, a prelate though he was, wrote from Ratisbon to Paget, "I had almost forgotten to tell my gladness of your tidings of the Cardinal of Scotland. It is half a wonder here that ye dare be so bold to kill a Cardinal."³

The exequies were long delayed, if ever they were carried out by the bishops. Foxe in the Book of Martyrs gives "a note of the just punishment of God upon the cruell Cardinall Archbyshop of Saint Andrewes, named Beaton." After describing the murder he says, "And so lyke a butcher he lyvid, and lyke a butcher he dyed, and lay 7 monethes and more unburyed,

¹ H., xxi. i. 1214.² Ibid., 958.³ Ibid., 990, 1070.

and at last, like a carion, buried in a dung-hill." The cardinal is represented in Sir David Lyndsay's "Tragedie" as saying:—

"I lay unburyit sevin monethis, and more
Or I was borne to closter, kirk, or queir,
In ane mydding, quhilk paine bene tyll deplore,
Without suffrage of chanoun, monk, or freir."

It is narrated by Sir James Balfour, in his account of the Bishops of St Andrews, that Beaton's "corpse, after he had lyne salted in the bottom of the sea-tower, within the castell, was nine months thereafter taken from thence and obscurely interred in the convent of the Black Friars of St Andrews in anno 1547." Holinshed, the English Chronicler, speaking of those who held the castle after the murder, states that "they delivered also the dead bodye of the Cardinall, after it had layne buried in a dunghill, within the castell, ever sithence the daye which they slew him." By the Canon Law neither mass nor matins could be celebrated till atonement had been made for the cardinal's murder; and there is evidence that no mass was said for a time in Edinburgh.¹ It does not appear, however, that the nation suffered under an interdict, and in the unsettled state of the realm the murderers could not be taken and atonement made. Yet the civil authorities,

¹ H., xxi. i. 958. Cf. Stevenson's *Mary Stuart*, 74.

though they failed, did attempt to bring the criminals to judgment.

The Privy Council, on June 11, ordered a proclamation to be made against Beaton's murderers, who were holding the castle of St Andrews; and the proceedings of the Parliament of July 30 show that a summons of treason had been published against Norman Leslie, James and William Kirkcaldy, Peter Carmichael, James Melvil, and others. As the accused might allege that they could not appear on account of the cardinal's friends, an order was issued that they were not to be molested. Leslie and his associates, however, did not answer before the Parliament, and on August 9 the Spirituality consented to grant them a remission, if a papal absolution could be obtained, and also if the Governor's son, who was a prisoner in St Andrews Castle, and the castle itself were delivered. But Leslie would not yield, and on August 14 the Parliament prepared certain articles, and among these was a petition that as David, Archbishop of St Andrews, Cardinal, &c., was cruelly slain by his trusty servants, "it wald pleis the King of Ingland that he wald nocht thole the saidis odious traitouris committeris of sa foule ane cryme to be ressavit, mantenynt, helpit nor suppleit wtin his realme efferand to his princelie curage and honour."

At last on August 16 doom of forfeiture was pronounced upon Norman Leslie for his treasonable slaughter of the cardinal; and on the 24th orders were given by the Privy Council for "the quartering of the realm for the siege" of St Andrews Castle.¹ The siege did not lead to an easy victory, though by the end of October the Governor's army had mined almost to the foot of the tower and had prevented any succour by sea.²

Early in the progress of the siege the Governor wrote to the pope and cardinals, intimating the death of Beaton whom he loved, he said, as a father. He showed how, by the law which appointed that those accused of grave crimes should declare the cause on the fortieth day, the 28th of July had been proclaimed for the murderers to undergo sentence of death and confiscation. "The memory of so great a man," he wrote, "the violation of that immunity of the ecclesiastical state which both human and divine laws enjoin, and, lastly, the cruelty of the conspirators so moved him that, neglecting the trouble to the State, ignoring the power of the king with whom war had been waged continually for four years, and despising that

¹ H., xxi. i. 1043, 1363, 1364, 1369, 1418, 1431, 1436, 1453, 1456, 1465, 1502. Privy Council R., i. pp. 26, 31, 38, 39.

² H., xxi. ii. 380

fatherly pity which moves even beasts, he proclaimed them traitors, confiscated their goods, and hastened to besiege the castle, being determined not to desist until he had brought them to justice."¹ Towards the end of November an English fleet reached St Andrews Bay, and their artillery was directed against the besiegers of the castle. The English were not able, however, to relieve the garrison, and when they set sail they carried with them Norman Leslie and Henry Balnaves.² Restitution and pardon were promised by the Governor to the defenders if they would deliver the castle, but the terms were rejected. On December 16 fresh terms were accepted, and the siege was raised. Under these the castle was to be retained by the garrison till absolution was obtained from the pope. Knox indicates that the terms were not sincerely offered, and, undoubtedly, they were not honestly kept, since Leslie and Balnaves were instructed to solicit Henry to induce the pope, through the emperor, to withhold or delay the absolution.³ The dowager and the Governor, however, being anxious to obtain the castle, petitioned the pope to grant the absolution and at the same time begged the King of

¹ H., xxi. ii. 6. Cf. *Scottish Antiquary*, xvi. 80, for damage done in St Andrews.

² *Ibid.*, 455, 461, 501. *Diurnal of Occurrents*, 43. Knox names John Leslie.

³ H., xxi. ii. 576. *Laing's Knox*, i. 184.

France to support them with his influence at Rome.¹ Francis was able to procure and send an absolution for the "slayaris," but it was deemed insufficient, and his successor, Henry II., was asked to obtain a fuller and wider papal pardon.² There is no document, however, showing that the pope consented, and the "slayaris" having repudiated the doctrine of the Papal Headship could not be dismayed. Spottiswoode evidently refers to the writing secured through Francis when he records that about the beginning of June 1547 "the absolution promised to those of the castle returned from Rome, whereupon the keepers were required to render the house according to the capitulation made. But they, alleging the absolution not to be sufficient, because of some words contained in the Bull, wherein it was said, *remittimus crimen irremissibile*, we remit a crime which cannot be remitted, refused to accept the same."

At St Andrews on March 9, 1547, after the death of Henry VIII., Norman Leslie, Henry Balnaves, and others signed an engagement to effect the proposed alliance between Edward of England and Mary of Scotland, and promote the unity of the two realms.³ The English failed or were unable to send relief to the garrison;

¹ H., xxi. ii. 611, 727.

² Hist. MSS. R., v. 651.

³ Rymer's *Foedera*, xv. 132, 133.

and the circumstances were completely changed by the arrival of a French fleet in July 1547, which attacked the castle and ultimately carried off to France six score men, among whom were the lairds of Grange, Norman Leslie, Balnaves, and John Knox.¹ It is related by Spottiswoode that the Frenchmen found great store of victuals in the castle, but the cardinal's treasure and household stuff, which was very precious, pleased them better. Bishop Lesley describes the castle as "weill plenished and furnished with all kinds of munitione, rich hingars, houshold furnetour, coistlie abilyementis, kaipes and kirk jowellis, riche copbuirdis of gold and silver, and gret pose of gold and money." According to Spottiswoode, the castle, "after the French were gone, was by Act of Council demolished, which, some said, was done to satisfy the pope's law that ordains the place where cardinals are slain to be ruinated; but the true case was the fear the Governor had that England should take the house and fortify it."²

The Scottish prisoners were liberated in due time from the French galleys and passed to England; but at the coronation of Mary of England they were forced to flee, and Norman Leslie, Balnaves, and the lairds of Grange, Brunston, and Ormiston returned to France. Leslie took

¹ Diurnal of Occurrents, 44. ² Cf. Laing's Knox, i. 208 note.

service with Henry II. and died in August 1554, having been wounded in a skirmish at Renti in Picardy. Kirkcaldy of Grange and other Scotsmen were sent back to their own country, and at the instigation of the French king restored to their estates.¹

Judges were appointed under a royal commission, dated July 12, 1547, "to call and accuse by indictment" the Earl of Rothes, father of Norman and brother of John Leslie, for being art and part of the treasonable murder of David, cardinal. A court was held on July 15, in presence of the Governor and the Lord Chancellor, at which Rothes, having denied complicity in the murder, was acquitted and altogether freed of the crime charged against him.² Many years after the murder, John Leslie, the earl's son, gave assurance of penitence; and on July 3, 1575, the Earl of Crawford, one of the cardinal's grandsons, for himself and other members of the Beaton family, executed a deed of remission by which they forgave the said John Leslie for the slaughter of the cardinal and received him into their hearty love, favour, and kindness.³

It is impossible to determine how far Henry VIII. was responsible for the murder of the

¹ Lesley's *Hist. of Scotl.*, 249. Sir J. Melville's *Memoirs* (Bannatyne Club), 25, 26.

² *Hist. MSS. R.*, iv. 504. Lesley's *Hist. of Scotl.*, 194.

³ *Hist. MSS. R.*, iv. 504.

cardinal. Undoubtedly he had trafficked with Brunston and Cassillis, but his efforts to aid the garrison of St Andrews Castle, which included the murderers, is not a proof that the foul deed was done at his order or solicitation. It is known, however, that on July 20, 1546, Brunston received £50, and on September 3 a like sum was given to the young laird of Grange. No reason was assigned for the payments, but it is to be noted that at an earlier time Brunston and the laird's father were associated in a proposal for the murder.¹

The policy of Henry VIII. to secure an alliance between Scotland and England, and to reform the Church in Scotland, might be set forth as the device of a wise statesman who discerned the needs of the times. It might be shown that his continental designs, and especially his purposes regarding France, required him to seek peace with his neighbour, and that his zeal for the House of God warranted his interference with the Church in Scotland and raised it to an evangelical enterprise. But Henry was not discreet in his methods. He was the victor at Flodden,

¹ H., xxi. i. 1314 ; ii. 11. On February 7, 1547, the English Privy Council, in pursuance of the resolution of Henry VIII., voted pensions to £1050 to holders of St Andrews Castle (H., xxi. ii. 524, note). Cf. Historical Remarks on the Assassination of Cardinal Beaton (Tytler's History).

and in his success decreed to be master or tyrant of the Scottish people. Margaret Tudor, with a regent's authority, might have submitted to her brother's will, yet possibly might not have forgotten that she was the mother of the Scottish king. Archbishop James Beaton, fearing Henry's power, would not suffer her to govern; and the Duke of Albany was invited to take the regency and make the French alliance a dominant force in the land. Inglorious though his military expeditions were, the Regent's rule was ever kindly, and the Scots were not impelled by oppression to seek the help of England. Throughout the brief ascendancy of Angus the young King James and his most loyal subjects were watchful, and the Earl did not dare to betray his country. James, as king, turned his eyes to France, when needs were pressing, and English diplomacy with threat or flattery could not make him break the old alliance. After the rout of Solway Moss and the death of James new plans of domination were framed, but the years as they passed did not leave Henry wiser in his dealings with the nation which had Bannockburn for its tradition. While bribery and intrigue secured noble after noble for his cause, the people would not yield. War and devastation killed crowds of men and destroyed towns and villages, and Hertford was the curse of Scotland. Yet the stubborn country

was not subdued, and the cardinal inspired her to defiance. Despicable schemes of murder were proposed, that Henry might be rid of his enemy, and a king though he was he did not spurn the scoundrels with their offers of crime. While the cardinal lived and directed the government, ecclesiastical reform by English methods was futile, and the efforts were vain by which Henry sought to secure the young queen that she might be made a fitting bride for his son. The Scots would not have an Englishman to rule over them, whether the Englishman was a king or a prince, though nobles who were traitors to their country would have sold the independence of the realm. Fortunately for the freedom of Scotland there was one strong man whom no bribe could secure and no chicanery overcome, and he was vanquished only when murder triumphed. The cardinal, amidst the shiftings and rivalries of the factions, was never false to the supreme political interests of the realm, and through him and him alone the sinister schemes of Henry were brought to nought.

David Beaton was the last great prelate of the ancient Church in Scotland. He lived while the old order was changing, but his eyes were not brightened by the light which streamed at the Revival of Learning. When the doctrine of the Church was assailed its danger did not rouse

him to defence. Heresy was counted a wanton attack on the institution of which he was a defender, and no inquisitor could have been more relentless in the punishment of enemies. He saw the spiritual revolution among the Germans and the ecclesiastical change in England, but was blind to the uses of a reformation which alone could save his Church from ruin ; and in arrogance or outrageous error did nothing but kill the new apostles of the faith. A priest of flagrant impurity could not lead men in the ways of piety, and David Beaton, with zeal for the Church but without care for religion, sent heretics to death who were the ministers of God. Yet he saved for a time the falling Church, when an assailant, an Englishman and a foreigner, who was seeking to hasten its ruin, was the menacer of Scotland's liberties. David Beaton was an ecclesiastic, the guardian of an institution with centuries behind it, a prince under the imperial sovereign at Rome ; but he was also a statesman by the sanction of a custom which jealous rivals among the nobles resented. England was strong under Henry's rule, while Scotland with political factions was weak. In spite, however, of the divisions and jealousies of the nobles, independence was maintained by the resolute and incorruptible statesman who was a priest. The Church was not reformed after the English

fashion, the French alliance was not broken, and the freedom of Scotland was not destroyed, because the cardinal of Scotland was the careful and skilful opponent of the King of England. The cardinal was slain in his castle of St Andrews, and the king soon followed him by another road into the darkness of death. Henry had failed in his Scottish policy, and David Beaton was the man against whom in the last years he had matched his strength.

APPENDIX.

I.

THE protracted and unseemly quarrel was going on in 1535. A papal writ of September 15 narrates that David Beaton was obliged to pay an annate of 200 ducats on the cessation of Moray's pension, and empowers him to deduct one-half of that sum from the next instalment due to the archbishop (Vatican Transcripts (Reg. Ho.), iii.). The terms of the original agreement for an equal division of fruits were evidently unaltered, and litigation in Scotland arose out of private arrangements made between the two men.

II.

Before leaving for France, Beaton, who was in the midst of litigation with his uncle regarding Arbroath, obtained a respite which was recorded in the Books of Session (Feb 15, 1533). The Register of the Privy Seal indicates clearly that the abbot was regarded as the benefactor and patron of a large body of kinsmen and connections, who might be exposed in his absence to proceedings on the part of the archbishop. On February 7, his brother John Beaton of Balfour was exempted from attending the host which the Earl of Moray was to lead, while James Beaton of Melgund and John Beaton in Nether Markinch were relieved on the ground that they were helping in the preparations. On February 16, a protection was granted to a large

number of persons more or less closely allied to the abbot, and among them the tenants of Arbroath were specially mentioned. It was found advisable, some ten days later, to procure a similar writ in favour of Isobel Monypenny, his widowed mother. The archbishop, however, was not daunted, and, as we learn incidentally, replied to the precautions of the Lord Privy Seal by means of his own Official and the Dean of Angus (A. D. C. S., May 7). When Beaton went abroad in 1536 protection was obtained for a large number of persons, among whom was James, Lord Ogilvy, a relative of Mariot Ogilvy (Privy Seal R., Aug. 31). Again, in 1537 protections were secured (*ibid.*, July 10).

III.

David, Bishop of Mirepoix, relates that, at the death of G. B., Canon of Glasgow (the prebend being the rectory of Glasgow), he had the *gratia provisionis et collationis* and, so far as the canonry and prebend are *litigiosi*, the *gratia surrogationis*. This grant he received on May 27, 1536, but letters apostolic have not been completed and he appoints procurators to resign the grace in favour of Master Henry Sinclair (F., 392).

IV.

(1) James A., Vicar of A., procurator of Master Adam M. (Maitland), Vicar of Kynnerne, appeals from William, Bishop of Aberdeen, and three canons thereof as commissaries or vicars-general, and from A. K., canon of Aberdeen, who pretends right in the vicarage of Kynnerne. Paul III. gave Cardinal Beaton an indult to bestow, in spite of reservations, all benefices in his disposition by reason of his offices—viz., Bishop of Mirepoix, coadjutor and successor of St Andrews, &c. ; and the vicarage was in his presentation, therefore, as Commendator of Arbroath. James Lyndesay, the holder, died in Jan. 1540,

and Beaton gave the vicarage to Adam M. of his own household, *per anuli sui impositionem*, with consent of the convent; upon which the Bishop of Aberdeen granted *litere conformes*. The appellant urges that he was abroad with Beaton, and enjoyed a royal protection; moreover Leo X. and the Lateran Council (tenth session) decreed that *cause beneficiales*, where fruits were under twenty-four ducats *auri de camera*, should be heard *in partibus*, but the vicarage is worth more than double that figure. A. K., again, was intruded by a surreptitious provision apostolic and the rescinding of the former collation (F., 457).

(2) Cardinal Beaton, on the strength of the above indult (given February 4, 1539), grants to J. W., priest and canon of Holyrood, the perpetual vicarage of K., vacant by the death of John D., canon, and wont to be held by canons of the monastery (F., 500).

(3) Cardinal Beaton has a petition from Master William B., Vicar Perpetual of C., who, on the death of D. M. in August last (an apostolic month), received the benefice on the strength of the cardinal's special indult from Paul III. James M. was intruded, and Beaton's commissaries, John S., Official principal, and Martin Balfour, canon of St Salvator's, gave verdict for W. B., with restoration of any fruits levied by J. M. The cardinal grants *litere conformes* (F., 451).

(4) Cardinal Beaton relates that H. L., canon of Holyrood, was presented to the vicarage of K., John W. being dead, by Robert, Commendator of Holyrood, Alexander, Abbot of Cambuskenneth and administrator, and the convent, while the cardinal himself, on the strength of his indult, collated John G., secular priest. An action for reduction of the collation was raised before Beaton's commissaries, Crichton, Provost of Dunglas and Official of Lothian, John Thornton, Precentor of Moray, and John L., Rector of K.; and though the commission was "conjunctly and severally" it was questioned whether, when they had proceeded so far conjunctly, one could terminate the case. The cardinal recalls the case and renews the commission, making it explicit that two or even one could proceed (F., 502).

(5) In a case between George S., priest, presented to the vicarage of M. by Thomas, commendator, and the convent of Dryburgh, and the vicar provided by Beaton himself under his indult from Paul III., Master Robert Galbraith, Rector of Spott, one of the three commissaries, is dead, and as they had proceeded conjunctly the cardinal, to remove any doubt, authorises the others, Master John W., Rector of F., and W. M., Vicar of P. (Aberdeen diocese), to proceed conjunctly and severally (F., 564).

V.

By mandate of the cardinal, more than eight chalders of meal were distributed to the honest poor in St Andrews, to pray for the soul of the archbishop. A payment was made to Walter Beaton, Rector of Govan, for the archbishop's obsequies in Glasgow. Fourteen stones of wax were supplied for lights for James Beaton's tomb in St Andrews, and sums of money were given to the bedellus to look after the tomb, light candles, and cover it at divine service.

In 1538 a great pestilence afflicted St Andrews, and the cardinal remitted the burgh fermes (Rentale S. Andr.).

VI.

(1) Cardinal Beaton, sitting with other prelates and doctors, accuses a man of opinions contrary to the faith and being at sundry conventicles against the same. The culprit is declared heretic, to be sharply punished as the law of Holy Kirk ordains (F., 408).

(2) J. N. swears that whatever is opposed to the Catholic faith is "cursit," and deserves "to be brynt in the eternal fyre of hell," and that if he opposes that faith or teaches in the contrary he will "underly the severite and panis contenit in the common law" (F., 409).

(3) Cardinal Beaton, having heard that certain persons in his province have adopted Lutheran heresies, and are studying the New and Old Testaments, written or printed in English, and forbidden by ordinary as well as parliamentary authority, with other heretical books, appoints three commissaries to collect evidence and inform him, directing them to destroy heretical books and denounce the guilty as excommunicate. These commissaries are described as *inquisitores heretice pravitatis* (F., 411).

(4) Cardinal Beaton grants Robert, Bishop of Ross, his suffragan, power to cite subjects of his diocese for heresy even within the city and diocese of St Andrews (F., 442).

(5) Cardinal Beaton, addressing Henry Adamson, Dominican of Edinburgh and Penitentiary South of Forth, states that at the last accusation of heretics in Holyrood, W. C., burgess of S., was convicted, but abjured his heresy, and that he was to abstain from flesh for a year, with other penances of a public character. The public penances are now to be commuted for others less grievous, and he is to have dispensation to eat flesh on flesh days (F., 462).

VII.

The taxation for the College of Justice was producing alarming consequences, as the churchmen were feuing their lands in order to meet their increased expenses. The Abbot of Culross, for example, in granting a feu farm, narrated that his object was to raise money for the tax imposed by the pope. (R. M. S., March 14, 1539.) In 1541, in an action by the king's advocate against the cardinal, it was stated that for five years the taxes for the archbishopric and Arbroath had not been paid. (Robertson, *Statuta*, i., p. 136.) On the feuing of their lands by the churchmen, cf. Introduction to *Rentale S. Andr.*

VIII.

Lauder has preserved in his *Formulare* (F., 402) a series of instruments by means of which Dury evidently attempted to secure his object in spite of opposition. He first of all appointed procurators to resign the archdeaconry in favour of Robert P. (Pitcairn?), his sister's son. The latter then appointed procurators *ad retrocedendum in favorem resignantis literis non confectis reservato retrocedenti regressu in omnes eventus*. Dury next recorded his consent to regress for his nephew, who, lastly, bound himself to pay an annate in that event.

IX.

Cardinal Beaton appoints procurators to secure that William Gibson, Dean of Restalrig, Rector of J. and Vicar of G., be provided as his suffragan (with or without title), with retention of benefices and £200 Scots from the mensal fruits of St Andrews for life, payable in Edinburgh at Christmas and the Nativity of St John Baptist (F., 462).

X.

The version of the articles against Borthwick which was produced before the Kirk Session of St Andrews (vol. i. of the Register (Scot. Hist. Soc.)) differs from Lauder's (F., 527), which is evidently more correct. The readings of the latter may be given by paragraphs without printing the whole.

- (1) Read *Christi nostri salvatoris in terris vicarium* and *episcopus vel simplex sacerdos*.
- (2) Read *a sanctissimo domino* and *animarum ejusdem deceptionem*.
- (3) Two articles have been wrongly fused into one: read *presbyteros et sacerdotes omnes*.

- (4) Read *per Anglos observatas, in se bonas justas, and diversas ymmo multas personas Christianas.*
- (5) Read *fuisse et esse meliorem.*
- (9) Read *simpliciter* for *similiter.*
- (7) Read *omnes ecclesie possessiones terras et redditus a progenitoribus suis et ipso etiam serenissimo rege ecclesie datas, &c.*
- (8) Read *ad idem punctum eundemque finem et similem ruinam.*
- (10) Read *affirmando populi Christiani abusivam esse deferendo habitus ut asseruit deformes ad modum, &c.*
- (11) Read *legi et publicari prohibitos and necnon Ycolampadii et Melanctonis libros ac diversos Erasmi tractatus et aliorum diversorum hereticorum condemnatorum.*

XI.

Cardinal Beaton had a petition from William, Bishop of Libaria and Dean of Restalrig, that certain canons of Restalrig accused him of tampering with letters of Innocent VIII. (Nov. 7, 1487) anent the foundation, procured at the instance of Master John Fraser, who was dean. Beaton cited three canons to the chapter-house of the Greyfriars in Edinburgh, and the suffragan produced an extract from the Register of Innocent VIII. (bk. 33, f. 30) *in forma rotuli* as is customary, when it was found that the Bull agreed with the Register and that Paul Tuba, the apostolic scribe, had made the corrections. The cardinal therefore exonerates his suffragan (F., 503).

XII.

Hilliard was boarded with one of the St Andrews citizens from January to April 1540, and in St Salvator's from April 1540 to April 1542. At the king's orders he was in hiding

at Monimail from June 3 to August 28, 1542. He returned to St Andrews and left Scotland in March 1543 (Rentale S. Andr.).

XIII.

Cardinal Beaton (July 17, 1541) is going to France and deposes Robert, Bishop of Ross, Alexander and Robert, Abbots of Cambuskenneth and Kinloss, and William Gibson, Dean of Restalrig and Bishop Elect of Libaria, as vicars-general.

He also deposes his secretary John Lauder, Archdeacon of Teviotdale, to exercise his power of presentation and collation, arising *inter alia* from an indult of Paul III. to provide acceptable persons for benefices at the cardinal's disposal in virtue of his offices but affected by papal reservations. A signed list is in the hands of the Chamberlain, and Lauder will follow this order. Lauder will also appoint officials, commissaries, clerks and notaries to the consistorial courts, and other officers, with the Chamberlain's consent: he will confirm greater testaments when the Chamberlain has received the quots and signed and sealed the wills.

Beaton also appoints five auditors to hear the accounts of St Andrews and Arbroath (F., 423 f.). Cardinal Beaton, on the eve of sailing for France at the desire of James V., appoints William, Bishop of Libaria and Dean of Restalrig, to supervise all monasteries, religious houses, collegiate and parish churches, chapels, and hospitals in the diocese, with power to visit and receive due expenses, to hear cases of heresy, witchcraft, homicide, and *presbytericidium*, and punish therefor: also to hear confessions or depute proper persons, impose penance, and absolve (F., 422).

XIV.

James Stewart, Commendator of Kelso and natural son of James V., on the narrative that the king has given him

Melrose, since Andrew Dury is nominated for Whithorn and the Chapel Royal, with Tungland (united thereto by papal authority), and that the fruits of Melrose are far greater than those which Dury will enjoy, appoints procurators to consent that the Mains of Melrose should be retained by A. D. for life with 1000 merks Scots annually, and that fruits owing to A. D. from Melrose up to the publication of the Bulls *in partibus* should also be retained.

John Stewart, clerk of St Andrews diocese and natural son of James V., has been nominated for Coldingham, held *in commendam* by Adam Blakader in virtue of apostolic dispensation, who will now succeed Henry, Bishop of Whithorn, as Commendator of Dundrennan. The fruits of Coldingham are much richer than those of Dundrennan, and out of consideration for Blakader and John Maxwell, clerk of Glasgow diocese and son of Robert, Lord Maxwell, who holds a pension of one third by consent of the late Henry of Whithorn, which pension the king desires to extinguish, Stewart appoints procurators to reserve fruits of Coldingham for Blakader up to the publication of the Bulls *in partibus*, and a life pension of 400 merks Scots for Maxwell.

Adam Blakader, Prior of Coldingham, appoints procurators to resign in favour of Stewart, provided that Maxwell's pension from Dundrennan be extinguished and he himself be promoted abbot thereof.

John Maxwell appoints procurators to extinguish his pension from Dundrennan if he obtains a pension of 400 merks from Coldingham (F., 433 f.).

XV.

William, Bishop of Libaria, as vicar-general, informs the Dean of Linlithgow that the prelates promised a contribution of £5000 to the king at the feast of St Peter's Chains. The king has appealed to him owing to delay on the part of some ecclesiastics, and the vicar-general directs the dean to cite

certain abbots and clergy in the diocese to the refectory of the Dominicans in Edinburgh to show cause (F., 432).

XVI.

The accounts (*Rentale S. Andr.*) from Oct. 1, 1539, to Jan. 8, 1540, refer to the cardinal's prisoners. They show, too, that the Englishmen, on the one hand, and the prebendaries and Wygton, on the other, were detained by order of the king and vicars-general; and that the witches were brought from Edinburgh and Dunfermline by orders of the vicars-general. The accounts of 1543-1544 include the expenses of witnesses against Wygton and David Lindsay, another priest; and also of a messenger sent to Glamis to forbid friar John Roger to preach (Cf. Laing's 'Knox,' i. 119). It appears, too, that Andrew Urquhart, a priest, died in the prison of St Andrews Castle.

XVII.

Beaton grants to Archibald, Earl of Argyle, lands in Mukartshire, for services in defence of the Church. The reddendo is £69, 13s. 4d. (being the old rental of tack), £27, 17s. 4d. of annual grassum (instead of two years' rent payable at every quinquennial renewal), 42s. (for seven dozen poultry), and 40s. as augmentation of feu farm, with three suits at St Andrews and a duplicand at the entry of heirs. Argyle is to swear fealty to the See and promise protection to the church of St Andrews. The right of regality, jurisdiction, and superiority is reserved (F., 517; cf. *Rentale S. Andr.*).

XVIII.

(1) Beaton for "great sums of money" grants to his nephew John Beaton, heir-apparent of his brother John Beaton of

Balfour, and his wife A. N., with their heirs, the lands and town of Kilrenny, at an augmentation of 37s. 4d., with power to make coal-pits, brewhouses, and *saline*, also harbourage for boats and ships. The reddendo is £6, 13s. 4d. with 3 ch. 5 b. $1\frac{1}{2}$ f. of wheat, bear, and oats, 24 capons and 24 poultry, also 40s. for the mill (instead of the old annual payment in money and victual), and £3, 9s. 4d. of annual grassum (instead of the old quinquennial grassum at renewal of tack). The victual is payable at the usual terms, viz., the capons and poultry between Martinmas and Lent, and the grain between Christmas and Easter *secundum formam rentalis nostri*. Three suits are owed at St Andrews and at all the justice and chamberlain aires of the regality. There is a duplicand at entry of heirs. The lands and mill are incorporated in one freehold, and superiority, jurisdiction, and regality are reserved (F., 520).

(2) John Lauder, Archdeacon of Teviotdale and perpetual Commendator of the vicarage of Kilrenny, for a sum of money, with the consent of the Commendator and convent of Dryburgh and of Cardinal Beaton (Feb. 1544), grants to John Beaton of Kilrenny and A. N. his wife, their heirs male and heirs male of J. B., a feu farm of the teinds of fish to be brought into the new harbour of Skynfasthavyne. Teinds from boats on the east side of the *torrens* of the town of A. are reserved; but teinds of boats of the new harbour landing in the harbour of A. within the parish of Kilrenny will fall to J. B. The reddendo is 6s. 8d. with duplicand at entry.

Lauder's precept of sasine is directed to Robert Beaton of Creich, steward of regality, and John M. and G. B., citizens of St Andrews and stewards-depute (F., 567 f.).

XIX.

Brunston had been in France with Beaton in 1542, and on his return accompanied the king to St Andrews. He went back to France to secure rents due to the queen and the

cardinal, and Francis sent by him a large sum of money to James. Afterwards it was held that he had intercepted 1500 crowns, and it may be that the cardinal was involved in making the charge against him and found in him an enemy. A writ in the *Formulare* states that Master C. de la B., Protonotary of Chailly, is *donatarius* of Francis I. for 1500 crowns of the sun, as appears from a letter of the secretary Bocherell, Sept. 8, 1543, and he admits satisfaction of his claim from Alexander Gordon, brother of George, Earl of Huntly. The money was "intercepted" by Crichton of Brunston out of a large sum sent to the Scottish king by Francis; and Gordon has now the right to recover (H., xvii. 1100, 1193; F., 610).

XX.

John Beaton of Balfour and Kilrenny, nephew of the late cardinal, and Master Bernard Bailie, Rector of Lamington, testamentary executors with Archibald Beaton of Capildra by instrument completed by the cardinal *in vestibulo* of the Chapel Royal at Stirling, May 8, 1544, appoint the said Archibald Beaton as procurator to collect sums owing in respect of the administration of Mirepoix and receive account from John Bouguilliamme and Richard Dalbene *et socii*, Florentine merchants residing at Lyons and Paris: also to deal with the cardinal's vicars and all intromitters with fruits due to him (F., 624).

XXI.

Beaton had been in correspondence with Cardinal Pole, and the subjects of his letters may have been Dr Hilliard, and also, perhaps, the condition of Scotland and the position of the Church. On January 10, in a report to Henry it was stated that a Scot named John Drummond had seen in the house of the master of the posts in Antwerp two packets of letters from Cardinal Pole, which were addressed to the Lord Cardinal of

Scotland, and one of them was endorsed "to Doctor Elyot." Information was also given that messengers from France and Rome might be intercepted at Hamburg and the secret practices of Scotland learnt, "especially of Pool's practices with the Cardinal of Scotland and the clergy of the same." A Franciscan friar confessed that he had twice delivered writings from an English priest serving the Cardinal of St Andrews in Rome and Italy, which were forwarded to the Cardinal in Scotland (H., xx. i. 40, 48, 696).

XXII.

Cardinal Beaton has heard from the Earl of Arran, Governor of the realm, that Robert Stewart, brother of Matthew, Earl of Lennox, and elect confirmed of Caithness, has been for some months in England and must be considered a traitor to his country and church. Beaton orders sequestration of fruits in the hands of T. M., Precentor of Caithness and vicar-general, A. S., dean, John M., chancellor, and T. S., treasurer (F., 602). The sequestration is, however, relaxed in respect of a pension of 40 merks payable to John B., clerk (F., 603).

Another document relates to Stewart's nomination for Caithness:—Robert Stewart, Provost of the Collegiate Church of Dumbarton, on the narrative that James V. nominated him for the bishopric of Caithness, vacant by the death of Andrew Stewart, and supplicated for three pensions, viz., 500 merks Scots for James Stewart, natural son of James, Earl of Moray, clerk or scholar of St Andrews diocese, 200 merks for G. L., clerk of that diocese, and 40 merks for John B., clerk of Lismore diocese, appoints procurators to consent (F., 441).

XXIII.

On February 1, 1546, Beaton was present at the Session, and as executor of the late archbishop sought payment of £860

from Sir John Campbell of Lundy on the ground that James Beaton had obtained a decret for that sum. On March 19 Campbell was unable to prove his contention that part payment had been made to the archbishop before his death. On May 24 Archibald Douglas, son of the late Archibald Douglas of Kilspindie (sometime Treasurer), was ordered to hand over to the cardinal 500 marks which had been promised to his uncle in June 1527.

James Beaton, the cardinal's nephew and the future Archbishop of Glasgow, was provided on March 22 to Arbroath (Reg. Glasg.). An instrument is recorded, doubtless belonging to 1545, whereby a resignation and reservation was to be effected and provision was to be made for the assignation of the churches of Monifieth and Abernethy to Alexander Beaton, clerk of the diocese and the cardinal's natural son, after his father's decease (F., 612).

On several occasions during March a case was before the Session in which the cardinal sought reduction, owing to non-payment of duty, of a charter of the lands of Killeith or Kildeleith granted on March 12, 1541, to Oliver Sinclair and his wife (cf. *Rentale S. Andr.*).

The cardinal on May 10 confirmed a licence granted by Archbishop James Beaton to the Dominicans in St Andrews (Fleming's 'Reformation in Scotland,' 627).

ADDITIONAL APPENDIX.

FORMULARE DOCUMENTS RELATING TO THE PERIOD.

JOHN LAUDER.

(1) Cardinal Beaton, on the death of Sir G. A., appoints John Lauder, his chief secretary, to be for life principal notary of the Official's court in St Andrews, with custody of the seal, books, and documents, with power to make transumps and write down evidence. He will enjoy the customary profits, saving the Official's share, and he may appoint subordinates at pleasure (F., 525).

(2) Cardinal Beaton relates that John Lauder, Archdeacon of Teviotdale, resigned the rectory of M. in the hands of Clement VII. in favour of A. R., reserving right of regress (Feb. 1534; the process Aug. 3, 1534). Beaton directs the Dean of F. and the *Curatus* of M. to notify the parishioners and admit Lauder when A. R. vacates the rectory (F., 634).

UNIVERSITY.

(1) Cardinal Beaton, as Chancellor of the University of St Andrews, commissions John Major, Provost of St Salvator's, and Peter Chaplain, canon thereof, both doctors in Theology, conjunctly and severally to admit bachelors *formati* (who may be secular priests or regulars of any order) to the licence in Theology, after examination and the formalities required by the University and Faculty, and subsequently after due interval to the doctorate with its privileges (F., 409).

(2) Notarial instrument to the effect that a student of St Andrews in Civil Law, after six courses in the new schools of the laws under R. C. (or G.), doctor of the laws, received the degree of bachelor of the laws from R. C. (many being present at the act) and with his permission *reverenter cathedram ascendit actusque bacchalaureatus publice et laudabiliter fecit* (F., 591).

(3) Cardinal Beaton, as Chancellor of the University, testifies that Master A. B., having studied *per solita temporum curricula* in the faculty of Decrees and having heard and performed the usual *lectiones* and other *actus scholasticos*, was promoted by R. G., doctor of Decrees and Canon of N., and now makes him bachelor, after receiving the usual oath to observe the statutes and customs of the University and to obey the archbishop. The present instrument, drawn by a notary and *scriba* of the University, has the University seal attached (F., 591).

(4) Before a doctor of laws, who is vice-chancellor for Cardinal Beaton, A. B. was presented by two doctors of laws for examination. He submitted *arduo et riguroso ac privato examini omnium doctorum venerandi collegii juris civilis Sancti-andree* and was voted sufficient in Civil Law by the vice-chancellor and doctors. The vice-chancellor declared him fitted to ascend the Master's chair, and he is hereby authorised to receive the degree and *insignia* of doctor in Civil Law *ad laudem Dei et totius curie universitatis* (F., 592).

(5) A doctor of Decrees, as vice-chancellor and commissary of the cardinal *vive vocis oraculo*, relates that he was commissioned to call four or five doctors in Decrees and grant to A. B. the licence in Canon Law after examination and to confer the *insignia* and privileges of the doctorate. He deputed two doctors, who in his presence and that of many other doctors and distinguished persons assigned certain *puncta* for treatment. A. B. *egregie rite et eleganter recitavit exposuit et declaravit et super illis per eosdem doctores subtilissimis argumentis et questionibus solemniter diligenterque et rigore examinatus nemine discrepante ad licentie gradum in jure canonico consequendum idoneus repertus est*. He is therefore by these presents created doctor. The vice-chancellor gave to

A. B. the book of the sacred canons, first closed, then open, placed the *birretum* on his head, and gave him the gold ring and the kiss of peace. The vice-chancellor appends his own seal (F., 592).

(6) Cardinal Beaton, under mandate from Paul III. in favour of A. B., who studied in the laws at the University of N., became bachelor after 6 courses, and made *repetitiones*, but could not afford the immoderate expenses of the doctorate in a University, called in doctors as his assessors, opened the Decretals at a certain title and in Civil Law the *liber codicum* similarly, intimating the passages to the doctors as the *puncta* in the coming examination, according to the usage of the Universities of N. and N. At the appointed time A. B. was duly examined (*solita collatione facta et rubricis cum litera utriusque textus notabiliter commentatis tam in legendo docendo et interpretando conclusiones diversas ex textibus hujusmodi inserendo roborando sustinendo*) and was declared by Beaton and the doctors, sitting in private, to be sufficient. As licentiate he now obtains the doctorate, with the privileges thereof, in the Universities of N. and N. from the Cardinal and his assessors (F., 593).

(7) Cardinal Beaton relates that the Earl of Cassillis presented John W. to the chaplaincy of B. in St Salvator's, but that John Major, the provost, refused to collate and conferred the chaplaincy on T. K., not yet a priest, on the pretext of a presentation. J. W. appealed to T. B., Rector of the University, who decided against Major and reserved further hearing for himself or his successors. James S., canon of Aberdeen and *mediatus successor* of T. B., has taken up the case; but Beaton denies the jurisdiction of the rector *in cause beneficiales* between supposts of the University. T. K. gave up his right and A. B. intruded himself. Beaton directs three commissaries to terminate the case (F., 623).

ABERDEEN.

(1) William Gorden, licentiate in the laws and Chancellor of Moray, relates that the Governor nominated him to the pope

for Aberdeen on the death of William Stewart, with a reservation of 1000 merks Scots as pension for John Hamilton, scholar of Glasgow diocese and the Governor's son, and 500 merks for Master David Panter, chief secretary. To these reservations he consents (F., 627).

John Hamilton subsequently appoints procurators to renounce his pension, with consent of Arran, in favour of William Gordon, now Bishop of Aberdeen (F., 628).

(2) Alexander, Abbot of Cambuskenneth, and William, elect confirmed of Libaria and Dean of Restalrig, as vicars-general, relate that on the death of Master J. L. the Dean and canons of Aberdeen presented Robert D. to the chaplaincy of G. in that church, but that Bishop William refused to collate, giving it to A. F. The vicars-general, on appeal by R. D., make citation and inhibition.

They further depute three commissaries to hear and determine (F., 429).

CAMBUSKENNETH.

Alexander, Abbot of Cambuskenneth, is now about sixty-four years of age and cannot undertake the burden of administration or go to Rome to arrange for a successor. The monastery at the time of his promotion was in such ruin and decay that up to the present he has not been able to rebuild or reform it, nor does he hope to complete the task. To avoid the injury of vacancy he desires to have Master David Panter, clerk of St Andrews diocese and graduate in Arts, as coadjutor with the usual powers and as successor *in omnes eventus*. He will retain the title and dignity of abbot, the stall in the choir, &c., and all fruits (F., 400).

COLDINGHAM.

Adam, Prior of Coldingham, with the sub-prior and convent, at the request of James V., for services to the house in Scotland, France, &c., and also for services during English

raids, granted to a chaplain (the petitioner) a monk's portion from the annexed rectory of E.—viz., 8 bolls of wheat for bread, 13 bolls, 3 firlots, 1 peck of bear for ale, 27 bolls, 2 firlots, 2 pecks of oats to buy flesh, 4 bolls, 1 firlot, 2 pecks of oats to buy fish, 8 merks Scots to buy raiment. Cardinal Beaton, who commissioned Master Andrew Oliphant to cite parties to the Blackfriars in Edinburgh, now confirms the pension (F., 485).

DRYBURGH.

Thomas Erskine, Commendator of Dryburgh, who is going on affairs of state to France, appoints four commissaries to administer in spiritual and temporal affairs (F., 614).

DUNKELD.

Master P. A., holding the prebend of M. in the church of Dunkeld, appoints procurators in the Roman Court to resign in favour of Master D. A., his brother's son, reserving for life all fruits and an annate or half the fruits of the year succeeding P. A.'s death, gathered by executors of beneficed persons by usage of the realm; also to procure for W. E., priest, and C. A., scholar (when he assumes the clerical character) life pensions of £40 Scots each, free of ordinary and extraordinary burdens, payable at Edinburgh after P. A.'s death at Christmas and the Nativity of St John Baptist, or at least within thirty days of these dates, with power to the pensioners to transfer, and regress for P. A. *in omnes eventus* (F., 431).

GLENLUCE.

G., Abbot of Glenluce, and James G., clerk of Whithorn diocese and lawful son of James G. of L., appoint procurators for a resignation, reserving administration, jurisdiction, and usufruct, with regress. The usual obligation for annates is undertaken in a separate instrument (F., 629 f.).

HADDINGTON.

William, Bishop of Libaria and a vicar-general of the cardinal *in remotis*, relates a petition from the community of Haddington that they have at their own expense instituted in the parish church of St Mary a college of priest choristers for which they desire collegiate rights. There is as yet no provost. P. M. is now made "president," with power to frame statutes, levy fines, and maintain discipline in terms of the agreement between the community and the choristers (F., 471).

HOLYROOD.

Cardinal Beaton dispenses T. M., canon of Holyrood and Perpetual Vicar of T. (diocese of St Andrews), from residence in his vicarage, and permits him to attend a University in Scotland or abroad for three years, provided that the church of T. is served by a suitable priest to be admitted by the cardinal (F., 467).

KELSO.

Cardinal Beaton relates that John N., priest and parish clerk of the church and *parochia jurisdictionalis* of the monastery of Kelso, had obtained letters from John, Abbot of L., administrator by apostolic authority in the minority of James, Commendator of Kelso, but that John S., indweller in Kelso, and his son John S. obtained letters from the administrator citing J. N. before *commissarii jurisdictionis monasterii et parochie* and that there is no safe access. Beaton sanctions the appointment by the administrator of special commissaries to sit in Edinburgh (F., 553).

MORAY.

Alexander Dunbar, Dean of Moray, and his nephew David Dunbar, succentor, appoint procurators for the resignation of

the deanery in the latter's favour, reserving the fruits, name, authority, prerogatives, and the distributions wont to be received, with indult to present to the cures of which he is patron, an annate of the deanery and its appendages to be levied by A. D.'s executors, and regress *in omnes eventus* (F., 489).

SCONE.

Robert, Bishop of Orkney and Commendator of Kinloss and Beaul, a vicar-general of the cardinal, who is in France, at the request of James Leirmonth, pensioner of Scone, transfers his pension of 200 merks Scots (as permitted by the papal letters) to David Leirmonth, his younger brother, who has just received tonsure. The conditions are the same, viz., that if Patrick, Bishop of Moray and Commendator of Scone, secures a benefice for the pensioner the pension shall be extinguished *pro rata* (F., 481).

ST ANDREWS.

(1) J. B., canon of St Andrews and Vicar of Holy Trinity, had held the vicarage of L., and with the approval of the commendator and convent and of the cardinal effected an exchange with Robert O., canon of St Andrews, who was Vicar of Holy Trinity. He now appoints procurators for the reservation of £40 Scots for R. O., being the difference in value between the two benefices (F., 597).

(2) John H., priest of St Andrews diocese, grants an annual rent of 20s. Scots to the chaplain choristers of the choir of the parish church of St Andrews, and a rent of 1 merk for augmentation of the chaplaincy of St Eloy there. There will be celebration on the anniversary of the granter's death for himself, his parents, and benefactors not yet worthily requited, *cum placebo et dirige die precedenti diem obitus et in crastinum missam cum diacono et subdiacono de Requie cum trigintali missarum de Requie triginta capellanorum*. For this 16s. are allotted: 12d. for candles *super feretro*: 4d. for

ringing the bells: 2d. for the hand-bell ringer who will go through the city: 2s. 2d. to be distributed to 13 poor persons: the *collector chori* shall offer 1d. and the three senior choristers 3d. Failure for two years to observe the foundation involves transference of the rent to the altar of St Eloy. The reddendo is 4d. *si petatur* (F., 512).

An instrument relates that John M., chaplain and "collector of the chaplain choristers," received the rent on their behalf. J. H. handed 20s. out of $2\frac{1}{2}$ merks derived from a tenement in Market Street to W. C., a bailie of the city, who in turn delivered them to J. M. (F., 513).

ST MONANS.

Cardinal Beaton confirms the gift of £20 Scots annually from the lands of J. (in Fife) by the late John K. of C. to the Blackfriars of St Monans. In return for confirmation he stipulates for (1) special mention of him as David Beaton in the daily *missa major*; (2) an annual solemn mass in February for the weal of his soul while he lives; (3) an anniversary of his death, with express mention of his name and an exhortation to the people to pray for him (F., 527).

STIRLING.

Cardinal Beaton, learning from the community of the burgh of Stirling that they and certain temporal lords without the burgh had built up the choir of the parish church of the Holy Rood with squared stone, and had founded a college of priest choristers for which they desired collegiate status, constitutes Sir R. W., vicar perpetual, as "president" of the chaplain choristers and other chaplains outside the choir, with power to frame statutes and secure observance. He shall make the chaplains outside the choir observe the term of their foundations, suspend absentees (non-residence being a prevalent evil) and deprive them of distributions; and he may mulct absentees of one eighth of their fruits after fifteen days' warning. There

are separate agreements (1) between the community of the burgh and the choristers; and (2) between the choristers and the chaplains outside the choir (F., 514).

COLLEGIATE CHURCHES.

(1) Cardinal Beaton, addressing the President and Chapter of St Mary's in the Fields, Edinburgh, relates that R. B., who held the provostry, resigned in the hands of Paul III. (June 25, 1543) in favour of Master John S., but J. S. ceded his right in favour of R. B., stipulating for access without further provision when R. B. vacated the benefice, papal letters being dated Aug. 24, 1543, and the process May 25, 1544. Beaton grants *litere conformes*, informing the chapter and the parishioners of L., an annexed church (F., 606).

(2) Cardinal Beaton, addressing the Dean of L. and the *Curatus* of G. (St Andrews diocese), relates that Master William Manderston, doctor of medicine and priest of the diocese, obtained the prebend of the rectory of Gogar in Trinity Church near Edinburgh, but resigned it in the hands of Paul III. in favour of John M., another canon of that church, with reservation of fruits for life, the usual annate to be uplifted by executors, and regress *in omnes eventus*, the papal writ being dated Bologna, May 12, 1543, and the process March 9 following. Beaton grants *litere conformes* (F., 599).

(3) Cardinal Beaton, on a petition of A. F. (Forrester), *dominus liberitenementi domini et baronii* of C., and James F., *dominus feodi ejusdem*, patrons of the collegiate church of Corstorphine, to the effect that their progenitors endowed the church, which was made collegiate by ordinary authority, and provided it with manses for the provost and prebendaries, but that owing to remissness on the part of the patrons the foundation is no longer observed, and the provost and certain prebendaries do not reside but employ unqualified substitutes, and that the manses are ruinous, while funds are not spent

upon repair of the church, appoints three commissaries to secure reform.

The cardinal, hearing from the patrons that the above commissaries proceeded to no judicial acts, since the provost and prebendaries objected to one of them (the Official) as a blood-relation of the patrons, appoints William, elect confirmed of Libaria, Abraham Crichton, Provost of Dunglas and Official of Lothian, Robert Galbraith, Rector of Spott, John L., Rector of K., and J. S., Rector of S., who are to conclude the matter (F., 419 f.).

(4) William, Bishop of Libaria, vicar-general for the cardinal, who is in France, narrates that the late James W. had the sacrist's prebend in the collegiate church of Tain. James V., the patron, presented A. W. to Robert, Bishop of Ross, who refused collation (the presentation being made at K. *anno regni* 29). Other claimants were F. H., priest, and H. G., the latter having collation. The vicar-general, now that the case is devolved upon the primatial See, gives judgment for A. W. and himself grants collation. Subsequently Alexander, Abbot of Cambuskenneth and a vicar-general, grants A. W. *litere conformes*, the letters of the suffragan not having been executed before his death (F., 496 f.).

PARISH CLERKS.

(1) Cardinal Beaton relates that the parish clerkship of K. is vacant, G. D. having held it for three years, without tonsure, by pretended election of the parishioners, and not having sought confirmation within the legal period. The cardinal, upon whom appointment devolves, invests T. W., his familiar clerk, by tradition of the *birretum* and directs the Dean of L. to give possession *per aque benedictæ amphoreque et aspersorii traditionem* (F., 428).

(2) Cardinal Beaton, addressing William, elect confirmed of Libaria, and Abraham Crichton, Provost of Dunglas and Official of Lothian, relates that T. A., priest of St Andrews diocese, was elected by the patrons to the parish clerkship of

S. relinquished by A. S., the last *capellanus* and clerk. A. F. asserted that he was elected by persons claiming patronage, and the case was committed to John W., Rector of F. and then Official of Lothian, R. E., Provost of Trinity, and William Gibson. That commission is now recalled and the present granted.

The cardinal, in a second writ, relates that A. F., before sentence, renounced his claim and that W. B., surrogated by himself to A. F.'s right, also renounced it. He now surrogates T. A. to the rights of the office and directs induction with the payment of fruits since the suit began (F., 476 f.).

ERECTION OF A PARISH CHURCH.

Cardinal Beaton has a petition from the inhabitants of two towns in the parish of the parish church of the town of A. The river E. flows between them and the church, often with rapid and dangerous stream, and they have built a chapel of St N. (bishop and confessor), but the Vicar Perpetual of A. raised objections to having a *curatus* there. Since the Rector of A. would have enough to provide for a vicarage, an appeal was made to the cardinal, who deputed the Dean of Dunbar and the Vicar of R., with a notary, to make inquiry on the spot. They reported that the facts could not be contested. Beaton therefore separates the said towns with their inhabitants *universitatibus bannis et parochia* from the church of A., erects the chapel *cum banno et districtu* into a parish church with right of cemetery, font, belfry, bells, and other characteristics, and places a priest in the cure with express consent of the rector. The latter and his successors must pay 20 merks to the *curatus*, who will have the *minute oblationes*. The church of A. is to have *honor competens* from the new church. The rector will present the *curatus* to the ordinary: the *curatus* shall bear ordinary and other burdens: the parishioners who are competent to communicate shall annually, at the feast of Ascension, go to the church of A. and offer a penny each on the high altar; and in other pro-

cessions they are to "associate" the church of A. with the *consueta loca processionum* (F., 581).

INDULGENCE.

Cardinal Beaton, on the narrative that there was a great stone bridge over the Earn near Perth which would have fallen by floods, had it not been supported by the Virgin *cujus imago ibidem prefulget tanquam columna firmissima*, grants that, when John B., *questor* and priest, comes to seek alms for repair of the bridge and maintenance of the image with the *luminaria* and *edificia*, all true penitents who lend their aid shall be freed from 100 days of penance enjoined (F., 580).

VARIOUS ECCLESIASTICAL WRITS.

(1) Cardinal Beaton certifies that J. B., chaplain, has been examined by his deputies, and found sufficient "to rule and govern the parish church of N., and to undertake the cure of the souls of the parishioners" (F., 408).

(2) Cardinal Beaton to the *curatus* of the parish church of B. granting a faculty to hear confessions of the parishioners, enjoin penances, and absolve *etiam in casibus nobis a jure specialiter reservatis; occultis tamen oppressionibus parvulorum restitutionibus male ablatorum testamentorumque et decimarum defraudationibus voluntarie perjuriis solemniumque votorum commutationibus ac homicidio voluntario specialiter exceptis* (F., 408).

A similar writ to the *curatus* of the parish church of N., and other priests therein, states that the faculty endures till the next Synod of St Andrews (F., 467).

(3) Master James R., priest of Brechin diocese, had a suit at Rome with W. B., canon of Glasgow, about the rectory of N. (St Andrews diocese), to which, on the death of the Bishop of Lismore, the late David, Earl of Crawford, presented J. R., Beaton refusing collation. J. R., to end litigation, waives his

title in respect of the presentation and a papal provision (Oct. 7, *anno* 8), and appoints procurators to renounce either in the Roman court or *in partibus* before the Patriarch of Aquileia, legate with power *de latere* (F., 566).

(4) Master John Thornton, sub-dean of Ross and canon of Glasgow and St Salvator's, appoints procurators to resign the sub-deanery to Master John Thornton (*junior*), the prebend of Ancrum in Glasgow to James Thornton, and the prebend of F. in St Salvator's to John Thornton (*natu minimus*), brothers germane and nephews of the granter, reserving fruits for life and the usual annates for the testamentary executors, with payment of £100 Scots from each benefice to Henry Thornton, son of the granter by an unmarried woman, when the granter dies, and right of regress (F., 484).

(5) Cardinal Beaton has a petition from Master John T., clerk of St Andrews diocese, and pensioner of the vicarage of C., who at the age of eighteen got dispensation from Paul III. (Nov. 1534) to hold the vicarage. Before letters were completed he resigned in favour of John F. for a pension of 20 merks Scots, with ingress in the event of J. F. relinquishing the benefice. This was ratified in the following January by papal executors, and the cardinal grants *litere ordinarie conformes* for J. T.'s greater security (F., 468).

(6) Sir A. O., Rector of K. (St Andrews diocese), obtained his benefice by resignation of Master H. L., whose procurator at Rome was J. S., clerk of Glasgow diocese. Fruits were reserved for life to H. L. (with an annate for his executors), or until the lapse of a reservation (by H. L.'s consent) of the fruits of a prebend in the church of Aberdeen (with an annate similarly) to Master A. G. Sir A. O. now appoints procurators to resign K. to Master H. L. for a pension of 20 merks Scots, payable only after A. G.'s death, or the lapse of his reservation of the prebend (F., 530).

(7) Master John R., clerk of St Andrews diocese, appoints four procurators in the Roman court, and three *in partibus*, to receive any benefice which may fall to him, set the fruits, uplift the rent, resign *simpliciter* or for exchange, and consent

to reservations of one-third, one-half, or all the fruits, for persons resigning benefices in J. R.'s favour (F., 622).

(8) Cardinal Beaton directs his commissaries to cite witnesses and any interested in a case raised by his procurator-fiscal against W. T., priest, for wilful homicide, simony, and other excesses, and, if he is guilty, to pass sentence according to the Canons (F., 449).

(9) John S., provost of the collegiate church of Bothwell, and commissary with John D., sub-dean of Trinity collegiate church and Official of Lothian, has letters from the pope's greater penitentiary, and dispenses with A. L., layman of St Andrews diocese, and G. H., allowing them to marry in spite of *quartus simplex consanguinitatis gradus* (F., 632).

(10) Cardinal Beaton relates that a divorce case between Patrick, Earl of Bothwell, and his wife, Agnes Sinclair, was heard before Abraham Crichton, Provost of Dunglas and Official of Lothian, but that A. S. objected to the judge as standing to the earl in the third or fourth degree of consanguinity. He recalls the case and commissions Robert Galbraith, Rector of Spott, John Lauder, his secretary, and W. M., Perpetual Vicar of P. (Aberdeen diocese), to terminate it (F., 544).

(11) Cardinal Beaton relates that Agnes R. made a will with John, Abbot of N., and Master R. A., as executors, which was confirmed by himself. Causes are to be moved with Master John H., Rector of D., and T. R., burgess of Edinburgh, and Abraham Crichton, official of Lothian, is closely akin to the abbot, so that Beaton appoints John L., Rector of P., and W. M., Vicar of N., as commissaries (F., 633).

(12) Alexander, Abbot of Cambuskenneth, as vicar-general of the cardinal *in remotis*, states that J. S. of C. (*nobilis domicella*) appeared before the Lords of Session for ratification of a contract with her husband, N. of K., anent a wadset of all her lands, and declared on oath that she was compelled by fear of death to consent. Later she expressed regret before the Lords and denied compulsion. The vicar-general gives her the required absolution, dispensation, and restoration (F., 456).

(13) Cardinal Beaton orders the citation of A. N., Rector of N., to the aisle of St Mary in the Church of St Andrews, for deforcing J. P., king's officer, while distraining upon the goods of W. A. of that ilk for debts owing to D. R. of C. (F., 445).

WRITS RELATING TO LANDS, &c.

(1) Before Cardinal Beaton and a notary, Sir John Melvill of Raith, with the cardinal's consent, constitutes Ellen his wife, and R. his son, and the longer liver of them, his assignees for a nineteen years' tack of Abthane of Kinghorn, granted by the cardinal and his chapter, with power to introduce sub-tenants if not of greater authority or power (F., 479).

(2) Cardinal Beaton, with consent of the chapter, granted to Patrick Dunbar of Kilconquhar, and his heirs and assignees, certain lands which Dunbar resigned. In consideration of past services and "great sums" of money he grants of new the lands and lordships of Kilconquhar, Petcorthy, &c., and incorporates them all in the lordship of Kilconquhar. The reddendo is ward and relief with 10 merks Scots, *nomine cane, cum communi secta* at the regality courts in St Andrews (F., 453).

In presence of the cardinal and a notary, Patrick Dunbar resigns the barony of Kilconquhar, and for "great sums" and past services Beaton grants the lands of new, reserving the profits of the lands of Petcorthy and Little Kilmuks, by reason of nonentry since the death of P. D. (Dunbar's grandfather), with power to dispose of these. The lands granted are incorporated in one holding (F., 537 : cf. *Rentale S. Andr.*).

(3) Cardinal Beaton, as superior, directs a precept to Sir W. S. of B., Knight, to give sasine in the lands of C. (in Fife) to A. L. on the strength of a retour to the chapel of the regality which proves that W. L. (father of A. L.) held immediately of W. S. A second precept expresses surprise that the mandate is not executed, and repeats it. A third precept, *in forma*

bifurcate vulgariter furche nuncupata, gives the steward of regality plenary power to cause A. L. to have sasine (F., 414).

(4) In presence of James V. and a notary, James R. of K., procurator for Henry Stewart, Lord Methven, who has from the king the nonentry of the lordship of D. with presentation of benefices, by reason of the death of Robert, Lord Lyle, resigns the same in favour of his son John, Lord Lyle (F., 539).

(5) Cardinal Beaton, with consent of the chapter, grants tack for 19 years to T. H. and his wife A. C. of the lands of B., now occupied by them (in Fife). The rent is £10 Scots, 1 ch. of wheat, 1 ch. 10 b. 2 f. 2 $\frac{3}{4}$ p. of bear and the same quantity of oats, 12 capons and 24 poultry. If the rent in whole or in part runs unpaid into the next year the granter has immediate power to dispose otherwise of the lands (F., 534).

(6) Cardinal Beaton, with consent of the convent of Arbroath, grants tack for 19 years from St Peter's Chains, 1543, of the teind sheaves of the parish church of B. (Aberdeen diocese) to W. S. of M. and his heirs, &c., on condition that delay of 40 days in terminal payment will annul the tack (F., 535).

(7) J. R. and A. R., his son and heir apparent, constitute the cardinal and his heirs their assignees, in consideration of a sum of money, to two reversions (signed and sealed at Dundee in the month of A., 1542) made by James A. in Northferry, G. W., his wife, James his son, with consent of A. R., burgess of D., the son's tutor, to (1) a sixth part of L. with pertinents (in Fife) occupied by J. B. of that ilk, and (2) a sixth occupied by Master W. D. (F., 473).

(8) In presence of Cardinal Beaton and a notary, James Leirmonth of Dairsie, laird of half the lands of F. (in Fife), and George Clephane of Carslogy, procurator for Grisel Meldrum, wife of J. L. (mandate at J. L.'s house in St Andrews, 1539), resigned the lands, and Beaton granted them to Patrick Leirmonth, the heir apparent, and his wife E. B., a charter to be completed thereanent (F., 536).

(9) Similarly H. W. of T. resigns the barony of T., with the mains, the mills, and certain lands with pertinents (in Fife) in

favour of A. W., his son and heir-apparent, reserving freehold for life (F., 539).

(10) In presence of George, Earl of Huntly, and a notary, Cardinal Beaton declares that the feu farm of Keig and Monymusk was granted without compulsion (F., 543; cf. *Rentale S. Andr.*).

(11) Cardinal Beaton relates that his predecessor directed the Dean of M. and others to inhibit the Sheriff of K. in a case pending before the Official principal. Master J. S., Rector of F., and A. S. of L., with others, had a suit about the kirkland of the chapel of St M. in the parish of F., pertaining to J. S., the question being *communis pastura usus focalium et aliorum necessariorum* on the lands of A. and D. belonging to A. S. The sheriff, on the strength of royal letters based on false information from A. S., cited J. S., with D. G. and others his tenants. The cardinal narrates that A. S. caused his son and heir G. S. to be infeft in the lands of A. and D., and that the latter repeated his father's action. The Dean of M. and others are now to cite G. S. before the Official principal in the Chapel of St Anne for the renewal of the inhibition against the sheriff, who will have to remit the case to the Official under pain of greater excommunication (F., 445 f.).

(12) A writ (in Scots) giving in detail an apprising of the lands of West K. or Newtoun Burell carried out by John Turnbull, mair and officer of regality, under precept from the steward, who has royal letters by deliverance of the Lords of Council, Mar. 30, 1543 (F., 570).

(13) Cardinal Beaton, with consent of the chapter, appoints John, Lord Borthwick, and his heirs, to be bailie for 19 years in the barony of Stow (F., 523).

MISCELLANEOUS WRITS.

(1) John B. of D., nephew and heir of the late John B., appoints Sir John Campbell of Lundy, ambassador to the Emperor, to be his procurator and agent with the King of

Portugal (the late John B. having been spoiled of his ship by the Portuguese fleet) anent certain letters of reprisal granted by the Queen and the Governor to the present John B. under the privy seal, Dec. 15, 1543, and to make agreement for injury done (F., 609).

(2) R. de P., citizen of St Andrews, has sold to his fellow-citizen W. G. his "Templar tenement" on the north side of the Market Street of St Andrews, and has resigned it in the hands of T. L., "Templar bailie," who gave sasine. W. G. and his heirs pay an annual rent of 13s. 4d. Scots to John L. and his heirs and assignees, with 6d. to the master of the Temple of St John of Jerusalem, and the usual burgh service (F., 509).

(3) W. N., a citizen of St Andrews, with consent of his wife J. S., who holds in conjunct fee, sold to a fellow-citizen, D. L., an annual rent of 40 sh. from his tenement on the south side of South Street, under a reversion. A. K., a bailie, received the resignation *per denarii traditionem*, and gave sasine to D. L., appending his seal along with those of W. N. and J. S.

Subsequently D. M., canon of Dunkeld and Official principal, sitting in the Blackfriars Church, received the voluntary agreement of J. S., her husband not being present. The granters then went to the tenement and resigned the rent *per denarii traditionem* to A. K., the bailie. J. S. again took oath, in the absence of her husband, that she acted without compulsion, and A. K. gave possession to D. L. *per hujusmodi denarii traditionem*. The Official and the bailie then sealed the present instrument.

The reversion (in Scots) stipulates for a payment of 40 merks Scots on St Michael's altar in the parish church of St Andrews after 15 days' notice (F., 506 f.).

(4) A citizen of St Andrews sells two tenements on the south side of South Street for £100 Scots paid in gold. According to St Andrews usage the vendor will owe double the price plus the expenses of any suit, if he is found to have any other contract regarding the property to the prejudice of the purchaser (F., 585).

(5) A citizen of St Andrews bought a *servus* of Russian birth from a merchant two years and a half ago. The man, who admits the citizen to be his patron and lord *hilari taciturnitate*, is now sold for 10 golden florins to Master R. F. (F., 588).

(6) A father "emancipates" his son *a manu et potestate*, giving him power to perform all lawful acts and to stand in the courts (F., 589).

END OF VOL. IV.

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